

MODERNIZING THE CONGRESSIONAL SUPPORT
AGENCIES TO MEET THE NEEDS OF AN EVOLV-
ING CONGRESS

HEARING
BEFORE THE
SELECT COMMITTEE ON THE
MODERNIZATION OF CONGRESS
OF THE
U.S. HOUSE OF REPRESENTATIVES
ONE HUNDRED SEVENTEENTH CONGRESS
FIRST SESSION

OCTOBER 21, 2021

Serial No. 117-11

Printed for the use of the Select Committee on the Modernization of Congress



Available via <http://govinfo.gov>

U.S. GOVERNMENT PUBLISHING OFFICE

WASHINGTON : 2022

46-121

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CONTENTS

OPENING STATEMENTS

	Page
Chairman Derek Kilmer	1
Vice Chairman William Timmons	2

WITNESSES

The Honorable Gene Dodaro, Comptroller General, Government Accountability Office (GAO)	
Oral Statement	3
Written Statement	5
Dr. Mary Mazanec, Director, Congressional Research Service (CRS)	
Oral Statement	36
Written Statement	38
Dr. Phillip Swagel, Director, Congressional Budget Office (CBO)	
Oral Statement	45
Written Statement	47
Discussion	50
Mr. Zach Graves, Head of Public Policy, Lincoln Network	
Oral Statement	64
Written Statement	67
Dr. Wendy Ginsberg, Staff Director, House Committee on Oversight and Reform	
Oral Statement	77
Written Statement	80
Dr. Philip G. Joyce	
Oral Statement	86
Written Statement	89
Discussion	99

APPENDIX I: ANSWERS TO POST-HEARING QUESTIONS

The Honorable Gene Dodaro, Comptroller General, Government Accountability Office (GAO)	110
Dr. Mary Mazanec, Director, Congressional Research Service (CRS)	119
Dr. Phillip Swagel, Director, Congressional Budget Office (CBO)	120

APPENDIX II: ADDITIONAL MATERIAL FOR THE RECORD

Statement by Rep. Zoe Lofgren	124
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MODERNIZING THE CONGRESSIONAL SUPPORT AGENCIES TO MEET THE NEEDS OF AN EVOLVING CONGRESS

THURSDAY, OCTOBER 21, 2021

HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE ON THE
MODERNIZATION OF CONGRESS,
Washington, DC.

The committee met, pursuant to call, at 9:01 a.m., in Room 2175, Rayburn House Office Building, Hon. Derek Kilmer [chairman of the committee] presiding.

Present: Representatives Kilmer, Perlmutter, Phillips, Williams, Timmons, Davis, and Joyce.

The CHAIRMAN. Okay. The committee will come to order.

Without objection, the chair is authorized to declare a recess of the committee at any time.

I now recognize myself for 5 minutes for an opening statement.

So one of the most amazing things about serving in Congress is the access Members have to expertise on every issue imaginable. The range and complexity of issues that Members encounter on a daily basis can be totally overwhelming, and schedules leave little, if any, time for doing independent research. So the ability to call on subject-matter experts for nonpartisan analysis on issues before Congress and in their districts back home undoubtedly helps Members do their jobs better.

Expertise also helps Congress do its job better. This committee has done a lot of work focused on strengthening Congress's Article I capacities, and ensuring that Congress is well-staffed with expertise is an important part of that. The legislative branch's informational and analytical capabilities need to be on par with those of the executive branch if Congress is to fulfill its obligations as a co-equal branch of government.

The legislative support agencies make Congress and its Members smarter. Armed with budget scores, policy analyses, legal assessments, and accountability measures, Members are better equipped to make informed decisions on behalf of the American people.

So today's hearing is about showcasing the terrific work that GAO, CRS, and CBO are doing and highlighting the innovative steps they are taking to update their products and services. This committee recognizes the tremendous value these agencies provide to Congress, and we are looking forward to supporting their work in any way we can.

Today's hearing will also consider how Congress's support agencies can adapt to best meet the needs of an institution that is constantly evolving. Quick accessibility to information is key for Members and staff who spend much of their days on the go. If a question comes up in the middle of a hearing, staff should be able to instantly find an answer using their phones.

Expertise that meets Members and staff where they are is also important. A junior staffer in a personal office probably has different informational needs than senior committee staffers. And while some Members want verbal briefings, others prefer dense reports. Tailoring information to the end user's needs facilitates learning and ultimately helps Members and staff better serve the American people.

The expertise that is available to Congress is truly remarkable; it is also somewhat of a mystery to many who work on the Hill. I am hoping we can also discuss how the agencies can ensure that Members and staff know about the incredible array of resources available to them.

The committee will once again make use of the committee rules we adopted earlier this year that give us the flexibility to experiment with how we structure our hearings. The goal is to encourage thoughtful discussion and the civil exchange of ideas and opinions.

So here is the wonky part. Therefore, in accordance with clause 2(j) of House rule XI, we will allow up to 30 minutes of extended questioning per witness. And, without objection, time will not be strictly segregated between the witnesses, which will allow for extended back-and-forth exchanges between members and the witnesses.

Vice Chair Timmons and I will manage the time to ensure that every member has equal opportunity to participate. Any member who wishes to speak should signal their request to me or Vice Chair Timmons.

Additionally, members who wish to claim their individual 5 minutes to question each witness pursuant to clause 2(j)(2) of rule XI will be permitted to do so following the period of extended questioning.

I feel like I really nailed that, you guys.

All right. I would like to now invite Vice Chair Timmons to share some opening remarks.

Mr. TIMMONS. Thank you, Mr. Chairman.

Good morning. Great to be with you. Sorry for the schedule change. We appreciate you all accommodating it. And, really, I just want to say thank you so much for coming, yourselves. It means a lot.

And we are here to discuss what additional tools and resources you all need to do your jobs better. And we have been trying to fix the same problems for decades. Immigration comes to the front of mind—debt, healthcare. We are not really getting very far, and we have to change the way we are doing things in Congress.

And so the purpose of this committee is how to make Congress more effective, efficient, and transparent for the American people. That is the tag line. But, really, it is, how do we solve these big challenges that we are facing? And, honestly, your role in how to

make Congress do its job better could not be more important. The resources that you all provide really make a big difference.

And the question is, what can we do to help Members of Congress and to help your various groups, support agencies, make us better at our job? And so, really, we appreciate you taking the time. Our hope is to figure out what we can do to help you do your jobs better so Congress can do its job better.

So, again, just thank you so much for taking the time to come, yourselves. And we look forward to learning more. And be prepared; this is not a normal hearing. We will all ask questions, and we will go back and forth, and it is really more of a roundtable setting. So it should be fun, and, again, thank you for being here.

The CHAIRMAN. Terrific.

We have two panels today. I am honored to welcome our first panelists who are here to share with us the efforts their agencies are taking to continue providing top-notch support to Congress.

Witnesses are reminded that your written statements will be made part of the record.

Our first witness is Gene Dodaro, the Comptroller General of the United States and the head of the Government Accountability Office. He has served in that role since December of 2010. Previously, he served as Acting Comptroller General and as the Chief Operating Officer of the GAO.

Mr. Dodaro, you are now recognized for 5 minutes.

STATEMENTS OF THE HONORABLE GENE DODARO, COMPTROLLER GENERAL, GOVERNMENT ACCOUNTABILITY OFFICE; MARY MAZANEC, PH.D., DIRECTOR, CONGRESSIONAL RESEARCH SERVICE; AND PHILLIP SWAGEL, PH.D., DIRECTOR, CONGRESSIONAL BUDGET OFFICE

STATEMENT OF THE HONORABLE GENE DODARO

Mr. DODARO. Thank you very much, Mr. Chairman, Congressman Timmons. Good to see you both this morning. I appreciate the opportunity to talk about GAO's service to the Congress.

GAO has evolved over the past century—and, this year, we celebrate the 100th anniversary of the GAO—to provide a wide range of services to the Congress. For example, we deploy multidisciplinary teams of subject-area and technical experts to look at hundreds of Federal programs and activities every year. Now, these audits result in tens of billions of dollars in financial benefits to the government, as well as over a thousand improvements to government operations, public safety, improvement of services to the American people.

Secondly, we have developed the capabilities, evolved over time, in order to monitor, real-time, what is happening, particularly in national emergencies. For example, on the coronavirus issues now, we have been giving monthly briefings to the Congress. Since the March 2020 CARES Act, we have been reporting bimonthly. We have issued over 100 reports to the Congress, made over 200 recommendations to improve the Federal response to the coronavirus issue as well as increase the transparency and accountability of the \$4.8 trillion that Congress has appropriated for those funds.

We have also greatly expanded our capabilities in the science and technology area. We are doing many more reviews, technology assessments—artificial intelligence, quantum computing, 5G. We have many underway. We have increased the short-term and medium-term products to the Congress in the technology area based upon a need that was demonstrated recently, and also to provide more technical assistance to the Congress.

We are on track to enhance our operations in the science and technology area with a plan that we were asked to provide to Congress in 2019, so we will more than double the size of that group by the end of this fiscal year. And I have asked for additional resources from the Congress. This is a top priority for me, and I believe we need to be able to provide this for the Congress as well.

We have also developed the capability to identify overlap, duplication, and fragmentation in the Federal Government. Our work there has resulted, in the last decade, in 1,200 recommendations. And Congress has acted, either fully or partially, and the administration, on over 70 percent of those, and it has already resulted in half a trillion dollars in financial benefits to the government.

Now, of course, we provide our traditional financial management operations as well. We audit the financial statements of the government. We give advice to the Congress on the fiscal trajectory issues, the debt issues, and other factors.

And then we also act as guardians of the role of the Congress to control the power of the purse. We issue legal opinions on the impoundment issues, on antideficiency issues, any appropriation law issues. We have a wide range of services.

Now, I would say, we are also well-postured in order to continue to evolve to meet the needs of the Congress as they change. You know, GAO has a unique structure. The Comptroller General is selected from a bipartisan, bicameral congressional commission, you know, confirmed by the Senate, for a 15-year term. So we have more continuity than any other Federal agency, and it is important, then, to use that wisely to continue to enhance our services.

We have a tremendous, dedicated, talented, multidisciplinary task force with all sorts of skills. We have a strong strategic planning and strategic foresight operation. We have been ranked consistently in the Best Places to Work in the Federal Government. This year, we were ranked number one in midsize agencies across the government. We have an extensive network of experts who work with the private sector, academia, the National Academies, and other services.

So I am happy to be here. I appreciate the interest in GAO. And I would be happy to enter into a discussion, dialogue, about how we can continue to work on evolving to meet the Congress's needs.



United States Government Accountability Office

Testimony
Before the Select Committee on the
Modernization of Congress, U.S. House
of Representatives

For Release on Delivery
Expected at 9:00 a.m. ET
Thursday, October 21, 2021

GAO

A Century of Strategic Evolution to Meet Congressional Needs

Statement of Gene L. Dodaro, Comptroller General of the
United States

GAO@100
A Century of Non-Partisan Fact-Based Work

GAO-22-900369

GAO@100

A Century of Non-Partisan Fact-Based Work

Highlights

Highlights of [GAO-22-900369](#), a testimony before the Select Committee on the Modernization of Congress

GAO's History and Impact

The Budget and Accounting Act of 1921 established GAO as an independent agency to investigate how federal dollars are spent. Early in GAO's history, it conducted reviews of federal payments and focused on conducting financial reviews.

By the 1970s, the size, scope, and complexity of the federal government had expanded, and congressional interest in whether government programs were meeting their objectives was growing. Consequently, GAO shifted its efforts to evaluating the efficiency and effectiveness of federal programs. In 2004, GAO changed its name from the General Accounting Office to the Government Accountability Office to better reflect this expanded role.

Today, GAO's work spans all federal programs and spending—from agriculture to space programs, banking regulation to public health, and cybersecurity to international aid. We also do financial audits of the US government and assessments of its fiscal outlook.

The impact of this work is significant: since 2005, GAO's findings and recommendations have resulted in \$1 trillion in financial benefits and more than 21,000 operational benefits for the U.S. government. Over the past 5 years, GAO's average return on investment is \$165 for every \$1 invested in GAO.

In this testimony, GAO describes the wide range of services it provides to Congress, how these services have evolved to meet congressional needs, and how it is positioned to meet future needs and challenges.

View [GAO-22-900369](#). For more information, contact A. Nicole Clowers at (202) 512-4400 or clowersa@gao.gov.

October 21, 2021

GAO

A Century of Strategic Evolution to Meet Congressional Needs

GAO's Evolution of Expertise and Services

Over the last century, GAO has strategically adapted its services and products—all with an eye towards informing congressional decision-making and improving government operations through nonpartisan and fact-based work.



Evaluating government programs. This now represents the majority of GAO's work, and these evaluations result in hundreds of recommendations each year to improve government operations and billions in financial benefits. Agencies typically implement 75 percent or more of GAO's recommendations.



Conducting real-time analyses. From monitoring the implementation of economic stimulus programs and the Troubled Assets Relief Program during the global financial crisis to providing oversight of the federal response to the COVID-19 pandemic, GAO gathers information in real time, from its source. GAO also provides quick-turnaround, technical support, such as reviewing draft legislation.



Conducting technology assessments. GAO has strengthened its capacity to analyze the latest developments in science and technology, draw attention to the implications of technological change, and make core concepts accessible to policymakers. Recent assessments have examined smartphone contact tracing applications, 5G wireless technology, and artificial intelligence in health care. GAO also recently issued an artificial intelligence accountability framework as a foundational document for evaluation of these systems government wide.



Identifying high-risk issues. GAO's biennial high-risk report has evolved from identifying government operations that are vulnerable to mismanagement to also including those in need of transformation. Since 2005, this work has led to nearly \$575 billion in financial benefits and key operational improvements, such as more sophisticated satellites for weather forecasting in light of extreme weather.



Providing legal decisions and other work. GAO issues decisions on bid protests and appropriations law. Since the mid-1990s, GAO's decisions also address whether an agency action is a rule and vacant executive positions. Since 2005, GAO has maintained, and produces summaries of, agency Antideficiency Act violation reports.

Source: GAO. | [GAO-22-900369](#)

GAO continues to evolve to meet the needs of Congress. From establishing a team to serve as the lead for its science and technology work, to growing its cybersecurity expertise, to developing quick-read products, GAO strives to anticipate or respond to changing congressional needs and emerging issues. For example, one of GAO's newest products, the "Science and Technology Spotlight," explains emerging science and technology with its associated opportunities and challenges, and relevant policy considerations.

GAO's unique mission and structure, diverse and talented workforce, and external network makes it well-positioned to continue to support Congress into the future. The agency's highly-skilled workforce and well-developed professional network that spans the globe enable GAO to anticipate emerging issues, challenges, and opportunities and craft strategic plans for serving the Congress and the country.

United States Government Accountability Office

October 21, 2021

Chair Kilmer, Vice Chair Timmons, and Members of the Committee:

I appreciate the opportunity to discuss how GAO continues to evolve to meet congressional needs. GAO's 100-year history is one of steady change, development, and adaption. We have strategically adapted our services and products as the federal government's role and congressional needs have changed to reflect an evolving domestic and international environment including changing economic and security landscapes and technological developments. All of this has been done with an eye towards informing congressional decision-making and improving programs and operations across the government.

GAO's robust strategic planning process ensures that we are tackling the most pressing policy matters—both for today and tomorrow.¹ We identify major trends, emerging issues, challenges, risks, and opportunities, all of which help us prioritize our work, obtain the necessary expertise, and allocate our staff resources. We also seek input from Congress and external experts to ensure that we identify issues of greatest national importance. The result of these efforts is a 5-year blueprint that guides our work and provides sufficient flexibility to address unexpected events, such as the COVID-19 pandemic. By involving Congress in our strategic planning process, we aim to develop a shared accountability agenda for federal programs and spending.

What has not changed in a century is GAO's independence and its unwavering commitment to providing the Congress and American public objective, fact-based, and nonpartisan information and professional analysis. Because of this independence and our ability to tackle issues of national importance with objectivity, demand for our work remains high. In fiscal year 2020, GAO received hundreds of requests for work from 90 percent of Congress' standing committees. GAO was asked to testify dozens of times before over 40 separate committees or subcommittees on a range of topics, including COVID-19; disaster preparedness, response, and recovery; and strengthening and sustaining the federal science and technology workforce.

¹See appendix I for an overview our strategic framework.

The impact of GAO's work is significant. Our findings and recommendations have resulted in over \$1 trillion in financial benefits and more than 21,000 program and operational benefits across a range of government programs and operations since 2005. Our average return on investment for the past 5 years is \$165 for every \$1 invested in GAO. The number of annual average program and operational benefits exceeded 1,300 during the same period.

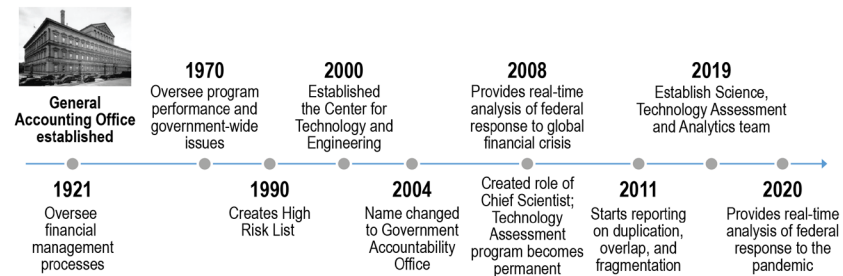
Today I will discuss the wide range of services that we provide to Congress, how these services have continued to evolve to meet the needs of Congress, and how we are well-positioned to meet future needs and challenges.

GAO's Evolution of Expertise and Services

Since its creation in 1921 after World War I, GAO has continuously evolved to meet the needs of Congress and the country (see fig. 1). The Budget and Accounting Act of 1921 required the President to issue an annual federal budget and established GAO as an independent agency in the legislative branch to investigate how federal dollars are spent. For the first 50 years or more, GAO conducted reviews of federal payments and focused on conducting financial reviews. By the 1970s, the size and scope of the federal government had expanded with the Great Society and War on Poverty efforts, and congressional interest in whether these efforts were meeting their objectives was growing. Consequently, GAO began focusing more on reviewing the efficiency and effectiveness of federal programs.² In 2004, GAO changed its name from the General Accounting Office to the Government Accountability Office to better reflect this expanded role.

² Legislative Reorganization Act of 1970, Pub. L. No. 91-510, § 204, 84 Stat. 1140, 1168 (Oct. 26, 1970).

Figure 1: Timeline of Key Events in GAO's Evolution, 1921-2021



Source: GAO. | GAO-22-900369

GAO continues to be a key advisor to Congress on financial matters by auditing the government's financial statements and advising on the government's fiscal health trajectory; however, this work now represents about 10 percent of GAO's total workload. Today, the majority of our work involves reviewing the efficiency and effectiveness of government programs and operations. GAO's work spans all federal programs and spending—from agriculture to space programs, banking regulation to public health, and cybersecurity to international aid. This work helps Congress craft legislation, make decisions about authorizing or reauthorizing programs, make funding decisions, and conduct oversight of the government's full breadth of activities.

To carry out this work, we recruit and retain a highly-skilled and diverse group of staff with subject matter expertise across all domains of federal government. Our staff include analysts with advanced degrees in public policy, economics, public health, data science, information technology, and business as well as scientists, attorneys, financial auditors, actuaries, engineers, and investigators. Organized into 15 mission teams focused on discrete issue areas, we assemble unique, interdisciplinary teams for each project, and these project teams conduct the evaluations, audits, research, and investigations that form the basis of our reports to Congress.

GAO Provides a Wide Range of Services to Support the Congress

GAO performs a range of oversight-, insight-, and foresight-related work to support the Congress in meeting its constitutional responsibilities and to help improve the performance and accountability of the federal government for the benefit of the American people.

Evaluating the efficiency and effectiveness of government programs. The bulk of GAO's work focuses on evaluating federal policies, programs, and agencies' performance. This work spans the scope of government programs, functions, and spending. Figure 2 illustrates the range of topics that we reported on in fiscal years 2020 and 2021.

Figure 2: Select Examples of GAO Reporting in Fiscal Years 2020 and 2021

Addressing Challenges to the Well-being and Financial Security of the American People

- Meeting Growing Demand for Veterans' Long-Term Care
- Addressing Persistent Challenges with FDA Inspections of Foreign Drug Manufacturers
- Reducing the Potential for Fraud in Recovery Homes for Substance Use Disorder
- Using Digital Vaccine Credentials
- Examining Federal Contributions to Development of Remdesivir
- Increasing Vaccine Availability
- Improving Resilience to Climate Change Through Strategic Investment of Federal Resources
- Addressing Weaknesses That Limit Delivery of Federal Tribal Programs
- Developing Needed Aviation-Preparedness Plan for Communicable Disease Outbreaks

Responding to Changing Security Threats and Challenges of Global Interdependence

- Improving Early Implementation of the Nation's Biodefense Strategy
- Enhancing the Transportation Security Administration's Efforts to Improve Airport Security Areas
- Learning from Past Efforts to Acquire Missile Defense Systems
- Improving Disaster Resilience for Federal Assets
- Addressing Challenges to Help DOD Sustain a Growing Fleet of F-35 Aircraft
- Addressing Persistent and Substantial Delays in Ship and Submarine Maintenance
- Improving CBP's Oversight of Funds, Medical Care, and Reporting of Deaths at the Southwest Border

Helping to Transform the Federal Government to Address National Challenges

- Addressing Significant Challenges to Information Security at VA and Other Federal Agencies
- Addressing Challenges for the 2020 Census with Operations Underway
- Addressing Challenges to Better Ensure Equal Employment Opportunity in the DHS Workforce
- Safeguarding Federal Employees Returning to the Workplace During Pandemics
- Addressing the Nation's Fiscal Health
- Clearly Communicating Public Comment Posting Practices for Federal Rulemaking

Source: GAO. | GAO-22-900369

We follow high standards for gathering, documenting, and supporting the information we collect and we use a range of methodological approaches including document reviews, site visits, economic analyses, surveys, data mining and analyses, and interviews. Based on the evidence that we collect and synthesize, we often make recommendations to improve the government program or function under review. For example, in fiscal year 2020, we made 1,459 recommendations. Agencies typically implement 75 percent or more of our recommendations within 4 years.

Agencies have realized significant efficiencies and improvements as the result of implementing our recommendations. For example, our work has

- prompted the Federal Emergency Management Agency to improve the services it provides to disaster survivors with disabilities in identifying their needs and in seeking feedback on services delivery;
- led the Federal Aviation Administration (FAA) to help law enforcement partners understand what information FAA needs on unsafe drone operations to prevent these systems from endangering life and property;
- led several federal agencies to update key policies and procedures to ensure that they are identifying, assessing, and responding to cyber risks; and
- led the Departments of Defense and Veterans Affairs to coordinate on providing updated information on VA's website about where Agent Orange had been tested and stored in the Vietnam War era to help veterans determine their potential exposure and eligibility for disability compensation.

Congress also uses GAO's work extensively to inform key legislative decisions. Recent examples include the following:

- The Consolidated Appropriations Act, 2021 required the Social Security Administration to give Treasury access to its full death data to prevent improper payments for a 3-year period, which is consistent with our past recommendation.
- Consistent with our past work, the National Defense Authorization Act for Fiscal Year 2021 established the National Cyber Director position in the White House and the National Defense Authorization Act for Fiscal Year 2020 directed the Secretary of Defense and the Director of National Intelligence to improve the onboarding methodology for intelligence community personnel.
- The Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act directed the Federal Communications Commission—when creating rules to help protect subscribers from receiving unwanted calls or text messages—to consider our findings on the topic.

Identifying high-risk issues. In 1990, GAO began reporting on government operations that we identified as "[High Risk](#)"—generally

defined as those that were vulnerable to fraud, waste, abuse, and mismanagement. Since then, this reporting has evolved to include those programs and operations that are in need of transformation. We update the list of high-risk areas every 2 years at the start of each new Congress. In March 2021, we issued our latest update that identified 36 government operations vulnerable to fraud, waste, abuse, and mismanagement or in need of transformation.

The current list of 36 high-risk areas include issues affecting the nation's commerce, economy, and security as well as the daily lives of the American people. For example, it includes critical healthcare programs, including Medicare, Medicaid, and medical product oversight; key Department of Defense operations, such as weapon systems acquisition and business systems modernization; food safety oversight; and the financial viability of the United States Postal Service.

Through our biennial reporting, we draw attention to new or emerging issues that need attention. We also update the existing high-risk areas, sometimes expanding or contracting the areas depending on our latest analyses. For example, in our 1997 report we added information security as a high-risk area. We expanded this high-risk area in 2003 to include protection of critical cyber infrastructure and, in 2015, to include protecting the privacy of personally identifiable information.

Over the past 15 years (fiscal years 2006 through 2020) financial benefits from this work totaled nearly \$575 billion, or an average of about \$38 billion per year. In addition to the financial benefits, the work has led to important programmatic and operational benefits, including more sophisticated weather satellites that improve weather forecasting in light of extreme weather and better sharing of intelligence information.

Reporting on duplication, overlap, fragmentation and opportunities for cost savings. Since 2011, GAO has issued 11 annual reports in response to a statutory provision to report on federal programs, agencies, offices, and initiatives—either within departments or government-wide—that have duplicative goals or activities. Through this reporting, we identified more than 375 areas and 1,200 actions for Congress or executive branch agencies to reduce, eliminate, or better manage [duplication, overlap, and fragmentation](#); achieve cost savings; or enhance revenues, as of May 2021.

Congress and executive branch agencies have partially or fully addressed 873 (about 73 percent) of the actions we identified from 2011 to 2021.

These efforts have resulted in approximately \$515 billion in financial benefits, an increase of \$85 billion from our 2020 annual report. About \$486 billion of these benefits accrued from 2010 through 2020, and \$29 billion are projected to accrue in future years. We estimate tens of billions more dollars could be saved by fully implementing our open actions.

Improving the government's financial management with audits and investigations. GAO conducts financial and other management audits to determine whether public funds are spent efficiently, effectively, and in accordance with applicable laws. Under the leadership of our Chief Accountant, our cadre of financial auditors conducts the annual audit of the U.S. government's consolidated financial statements as well as the audits of the financial statements for certain federal agencies and operations, such as the Internal Revenue Service, U.S. Securities and Exchange Commission, the Federal Deposit Insurance Corporation, and the schedule of federal debt. We also monitor agencies' implementation of the Chief Financial Officers (CFO) Act of 1990. Last year we suggested ways the CFO Act could be strengthened to improve and modernize federal financial management.³

GAO also produces annual reports on the nation's fiscal health. These reports look at the nation's fiscal condition, including the federal government's financial statements; the debt; federal, state, and local fiscal projections; and budget trends.⁴

In addition, GAO conducts investigations to assess whether illegal or improper activities are occurring. Our Forensic Audits and Investigative Service (FAIS) team, which is composed of investigators, analysts, and auditors who have experience with forensic auditing and data mining, works with other teams when its special services are required for (1) specific fraud allegations or (2) assistance in evaluating security matters. FAIS also manages [FraudNet](#), our online system created for the public to report to GAO allegations of fraud, waste, abuse, or mismanagement of federal funds.

³See *Federal Financial Management: Substantial Progress Made since the CFO Act of 1990 and Preliminary Observations on Opportunities for Enhancement*, [GAO-20-203T](#) (Washington, D.C.: Oct. 30, 2019).

⁴GAO, *The Nation's Fiscal Health: After Pandemic Recovery, Focus Needed on Achieving Long-Term Fiscal Sustainability*, [GAO-21-275SP](#) (Washington, D.C.: Mar. 23, 2021).

To advance efforts to combat fraud in government agencies and programs, GAO identified leading practices for managing fraud risk and organized them into the [Fraud Risk Management Framework](#). Issued in 2015, GAO's framework encompasses control activities to prevent, detect, and respond to fraud, with an emphasis on prevention. In June 2016, Congress enacted the Fraud Reduction and Data Analytics Act of 2015, which required the Office of Management and Budget (OMB) to establish guidelines for federal agencies to create controls to identify and assess fraud risks and to design and implement antifraud control activities. The Act further required OMB to incorporate the leading practices from GAO's framework in these guidelines.⁵

Providing real-time analysis of unfolding events. From monitoring the implementation of economic stimulus programs and the Troubled Assets Relief Program during the global financial crisis to providing oversight of the federal response to the COVID-19 pandemic, GAO has a strong record of gathering information in real time, from its source. Most recently, during the ongoing COVID-19 pandemic, we recognized our duty to provide Congress and the American people with timely auditing and reporting on a dynamic situation of global importance. As such, we have issued 117 reports and other products on the pandemic, including seven bimonthly or quarterly reports that cover the entire government-wide response. We also brief congressional staff each month on our latest findings. Through these reports, we have made 209 recommendations for executive action, and agencies have fully or partially implemented over one-third of these recommendations as of September 30, 2021.

Even before the full scope of the pandemic was evident, we shifted some of our resources to address it, working with the Congress to adjust our audit priorities. Throughout the pandemic, GAO has provided congressional committees and individual members with technical assistance on numerous aspects of COVID-19. These included topics such as how well face mask materials filter droplets and aerosols, differences among three prominent COVID-19 infectious disease models, and the effectiveness of certain filtration systems in reducing respiratory disease transmission on airplanes.

Conducting technology assessments. GAO's technology assessments analyze the latest developments in science and technology, draw

⁵Although the Fraud Reduction and Data Analytics Act of 2015 was repealed in March 2020, the Payment Integrity Information Act of 2019 requires these guidelines to remain in effect, subject to modification by OMB as necessary.

attention to implications of technological change, and make core concepts accessible to policymakers. GAO has a long-history of conducting technology assessments for Congress. For example, in recent years our Science, Technology Assessment, and Analytics (STAA) team has issued technology assessments on smartphone contacting tracing applications, 5G wireless technology, and artificial intelligence in health care, among others (see table 1).

Table 1: Examples of Technology Assessments

• Quantum Computing and Communications: Status and Prospects, GAO-22-104422 , Published: Oct. 19, 2021.
• Exposure Notification: Benefits and Challenges of Smartphone Applications to Augment Contact Tracing, GAO-21-104622 , Published: Sep. 09, 2021.
• Forensic Technology: Algorithms Strengthen Forensic Analysis, but Several Factors Can Affect Outcomes, GAO-21-435SP , Published: July 06, 2021.
• Defense Navigation Capabilities: DOD Is Developing Positioning, Navigation, and Timing Technologies to Complement GPS, GAO-21-320SP , Published: May 10, 2021.
• Artificial Intelligence in Health Care: Benefits and Challenges of Technologies to Augment Patient Care, GAO-21-7SP , Published: Nov. 30, 2020.
• 5G Wireless: Capabilities and Challenges for an Evolving Network, GAO-21-26SP , Published: Nov. 24, 2020.
• Covid-19: Data Quality and Considerations for Modeling and Analysis, GAO-20-635SP , Published: July 30, 2020.
• Forensic Technology: Algorithms Used in Federal Law Enforcement, GAO-20-479SP , Published: May 12, 2020.
• Artificial Intelligence in Health Care: Benefits and Challenges of Machine Learning in Drug Development, GAO-20-215SP , Published: Dec. 20, 2019.
• Irrigated Agriculture: Technologies, Practices, and Implications for Water Scarcity, GAO-20-128SP , Published: Nov. 12, 2019.
• Critical Infrastructure Protection: Protecting the Electric Grid from Geomagnetic Disturbances, GAO-19-98 , Published: Dec. 19, 2018.
• Technology Assessment: Artificial Intelligence: Emerging Opportunities, Challenges, and Implications, GAO-18-142SP , Published: Mar. 28, 2018.
• Chemical Innovation: Technologies to Make Processes and Products More Sustainable, GAO-18-307 , Published: Feb. 08, 2018.

Source: GAO. | GAO-21-900369

We have 9 ongoing technology assessments on the following topics: vaccine development; blockchain; AI in medical diagnosis; PFAS; satellite constellation environmental effects; carbon management; forensic analysis of the origins of pandemics; regenerative medicine: bioprinting organs; and forensic attribution of chemical weapons.

Providing legal decisions and other legal work. As part of Congress's exercise of its constitutional power of the purse, Congress has vested GAO with statutory responsibilities to investigate and oversee the use of public money. For example, GAO issues legal decisions on the Antideficiency Act (ADA) and the Congressional Budget and

Impoundment Control Act of 1974 (ICA) to Congress and executive branch officials in addition to regularly providing informal technical assistance and teaching courses on principles of appropriations law.

Over the past century, Congress has continuously vested GAO with additional responsibilities to investigate and oversee the use of public money. For example, Congress amended the ADA in 2004 to require agencies to send to GAO a copy of each ADA violation report an agency sends the President and Congress. Following the amendment to the ADA, GAO established and maintains a central repository of these reports and we issue a compilation of our summaries of these reports on an annual basis. Additionally, under the ICA, Congress provided GAO with the responsibility to review any special message submitted by the President pursuant to the Act, and to report to Congress when GAO determines the President has improperly withheld funds. In fiscal year 2020, GAO issued 21 appropriations law products, including legal decisions and congressional testimonies.

Based on our experiences in carrying out these responsibilities and with an eye toward how our role could evolve, GAO has shared ideas for legislative proposals to protect Congress's power of the purse, such as correcting agency underreporting of ADA violations, including when GAO finds a violation; reporting of obligations incurred during a lapse in appropriations; and requiring the reporting of expired, canceled or unobligated balances. These legislative proposals would strengthen GAO's existing role in support of Congress's constitutional prerogatives.

Congress also gave GAO statutory responsibility in the Competition in Contracting Act of 1984 (CICA) to provide an objective and impartial forum for the resolution of bid protests—a challenge to the terms of a solicitation or the award of a federal contract. Congress, courts, agencies, and the public rely on GAO's body of bid protest decisions. Prior to enactment of CICA, GAO provided this forum informally for more than 50 years. In 2013 and 2016, Congress vested GAO with permanent authority to hear protests of certain task and delivery orders. GAO adjudicated over 2,100 bid protests in fiscal year 2020 and issued more than 500 decisions on the merits.

GAO's role in assisting Congress has grown to include supporting congressional oversight of agency rulemaking under the Congressional Review Act (CRA), enacted in 1996, and congressional oversight of the temporary filling of certain vacant executive positions under the Federal Vacancies Reform Act of 1998 (Vacancies Reform Act). Under the CRA,

GAO reports on the procedural steps taken by agencies in promulgating major rules. Under the Vacancies Reform Act, GAO issues reports where an acting official is serving longer than permitted by law.

In response to congressional interest, GAO's role has evolved to include issuance of legal decisions on particular agency actions under the CRA and specific vacancies under the Vacancies Reform Act. GAO's role under the Vacancies Reform Act has also grown to include proactively working with agency heads to remind them of their obligations under the Vacancies Reform Act. In fiscal year 2020, GAO issued 153 major rule reports, five decisions under the CRA, two Vacancies Reform Act decisions, and three Vacancies Reform Act violation letters.

Providing technical assistance and access to experts. In addition to our evaluative and legal work, GAO also provides technical assistance to congressional committees and Members. This informal, limited assistance on discrete topics is one method we use to respond more quickly to Congress's information needs. Technical assistance can include reviewing draft legislation, analyzing publically available data, providing congressional hearing support, or briefing on the workings of a particular federal program. Our experts are also available to brief, answer questions, and share knowledge on policy issues and technical subjects that span the federal government. To facilitate access to our subject matter experts for technical and other support, we added a [page](#) to our website that lists experts by topic, and we have arranged brownbags for congressional staff on certain topical issues. In addition, at the request of congressional committees, GAO can detail a very limited number of staff to committees for up to 1 year.

GAO Continues to Evolve to Meet the Needs of Congress

From establishing a team to serve as our focal point for our science and technology work to growing our cybersecurity expertise, GAO has anticipated and responded to the changing needs of Congress and emerging policy issues. In addition, we are adapting the products we use to deliver our information and analyses to Congress in today's digital environment.

GAO Continues to Bolster Agency Components to Help Congress Address Science and Technology Issues

GAO has reviewed science and technology issues for Congress since the 1990s. This body of work has grown over the decades. For example:

- In 1997, we first designated cybersecurity as a government-wide high-risk area, and subsequently expanded it in 2003 and 2015 to include the protection of critical infrastructure and privacy of personally identifiable information, respectively.

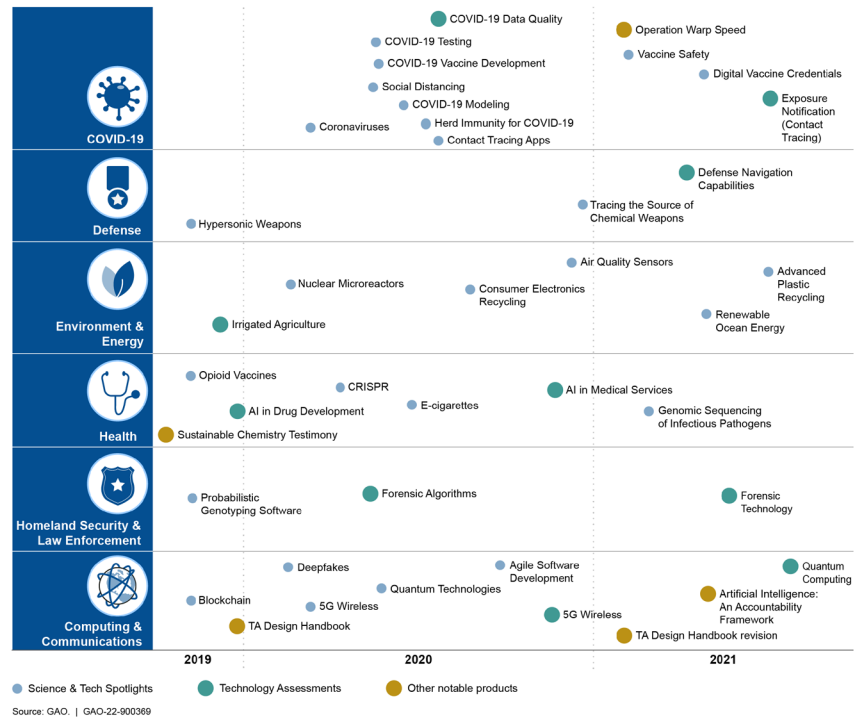
-
- In 2001, we initiated a now 2-decades long contractual relationship with the National Academies to inform GAO's growing science and technology work.
 - In 2002, at the request of Congress, we began conducting technology assessments to provide more in-depth analysis of technical and scientific issues in order to support congressional decision-making.
 - In 2008, we created the role of Chief Scientist, and established a permanent technology assessment program.
 - In 2019 and 2020, we issued two joint publications with the National Academy of Medicine on artificial intelligence (AI) on healthcare—one on AI in drug development and the other on AI for medical services.
 - In 2021, we issued an AI Accountability Framework ([AI framework](#)) that identifies key accountability practices—centered around the principles of governance, data, performance, and monitoring—to help federal agencies and others use artificial intelligence responsibly.

In January 2019, GAO created [STAA](#) to build on our decades-long track record of providing Congress with science and technology analysis. As the focal point for this particular line of work, STAA brings together its specialists and analysts from across the agency to provide members of Congress and their staff with an array of foresight, insight, and oversight services. Our expertise, research, and analyses help address a number of specific congressional needs, including the following:

- in-depth evaluation and oversight of federal science and technology programs;
- foresight on new and emerging technologies;
- evaluation of the effects and policy implications of science, technology, and innovation on society;
- innovations in evidence-based policymaking through data analytics;
- exploration of emerging technologies that could be utilized to support specific legislative branch functions or tasks remotely;
- development of policy options that may enhance the benefits and mitigate the challenges of technologies; and
- proactive and on-demand technical assistance on science, technology, and innovation issues.

Examples of STAA's recent science and technology work includes reports on federal agencies' use of facial recognition technology and federal contributions to the development of Remdesivir. (See fig. 3.) STAA has also produced testimonies on the federal STEM workforce and the security of federal investments in research and development.

Figure 3: Science and Tech Spotlights, Technology Assessments and Other Notable Products



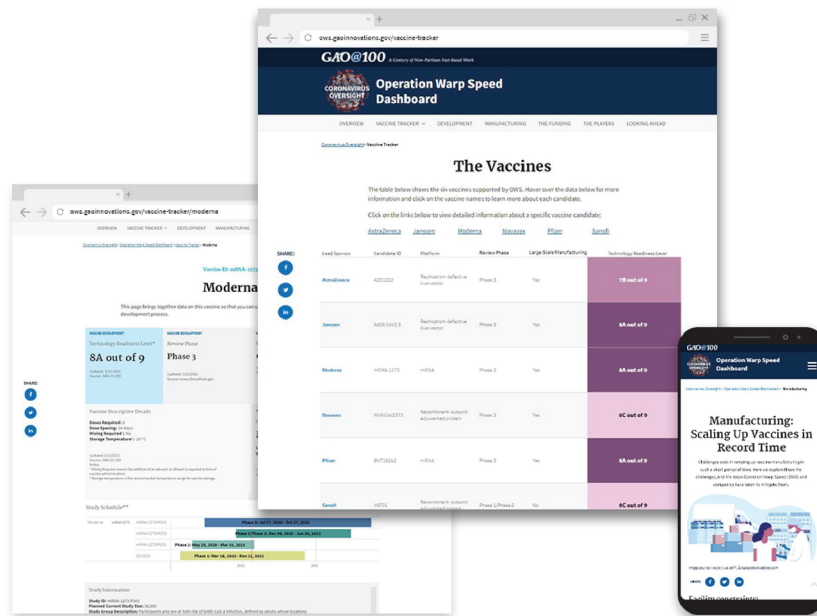
STAA also produces best practice guides. These guides—authoritative documents for managing and evaluating programs—are developed by a diverse community of experts and lay out proven and effective approaches and decision-making tools for federal managers. Published guides include best practices on lifecycle cost estimating, scheduling, technology readiness assessment, and agile methods. Best practice guides on cloud information technology security, acquisition, and human capital are also being considered.

STAA is the home of our [Innovation Lab](#), which was established to enhance GAO's ability to tackle accountability challenges through data science and emerging technologies. Made up of data scientists and technologists, the Innovation Lab works with GAO mission teams and external stakeholders to examine the latest technological advances in oversight.

During the pandemic, the Lab provided Congress with the tools to make complex information easily accessible and timely. As part of our work on vaccine development and deployment, the Lab created the first-of-its-kind digital dashboard to provide up-to-date details on vaccine technology development, manufacturing, and rollout.⁶ (See fig. 4.)

⁶See <https://ows.gaoinnovations.gov/> for GAO's dashboard providing key information on Operation Warp Speed COVID-19 vaccine development and manufacturing.

Figure 4: Science, Technology Assessment, and Analytics Dashboard Provides Key Information on Operation Warp Speed Supported COVID-19 Vaccines



Source: GAO. | GAO-22-900369

The Lab is also doing work that will address fraud and improper payments. For example, the Lab's specialists are working to enhance GAO's ability to conduct network analyses to detect fraud while also developing tools to help other federal agencies adopt GAO's fraud risk management framework. In addition, the Lab is leading GAO's work with principal agencies of the Joint Financial Management Improvement

Program to explore how identity verifications across public sector benefit programs can be scaled up to curb improper payments.⁷ Improper payments—payments that should not have been made or were made in the wrong amount—continue to grow across the government. In fiscal year 2020, agencies reported total improper payment estimates of about \$206 billion, up from \$175 billion in fiscal year 2019. Since fiscal year 2003, cumulative improper payment estimates have totaled almost \$1.7 trillion.

To accomplish this important work, GAO increased the size of the STAA workforce in accordance with the plan provided to Congress in April 2019. As of September 27, 2021, STAA has 120 members, up from 67 members at the beginning of fiscal year 2020. Our fiscal year 2022 budget request reflects plans to continue to grow STAA to meet congressional needs.

GAO Continues to Build Cybersecurity Expertise

GAO's Information Technology and Cybersecurity (ITC) team provides critical analysis of today's cybersecurity challenges. High-profile and widespread cyberattacks on federal agencies and national infrastructure have highlighted the urgent need to address these long-standing challenges. We have a decades-long track record of informing congressional decision-making on cybersecurity issues. For example, our [cybersecurity work](#) has contributed to major legislation on information security, including the Federal Information Security Management Act of 2002 (FISMA), the subsequent amendment to FISMA in 2014, and the Federal Cybersecurity Enhancement Act of 2015.

Recognizing that these attacks and threats can have serious or even catastrophic effects on federal systems, the nation's critical infrastructure, and the privacy and safety of the general public, GAO continues to expand our expertise and ability to assess these threats. For example, since 2018 we hired 48 specialists for the ITC team. We plan to continue to recruit talent with specialized cybersecurity knowledge, skills, and expertise to augment our ITC team's capabilities, including this team's Center for Enhanced Cybersecurity. This center is responsible for performing technical cybersecurity reviews, including vulnerability assessments and system configuration reviews of complex networks.

⁷The principal agencies are GAO, the Office of Management and Budget, Treasury, and the Office of Personnel Management.

Using this cadre of specialists, we will continue our focus on four areas that we have identified as high risk: (1) establishing a comprehensive cybersecurity strategy and performing effective oversight, (2) ensuring the security of federal information systems, (3) protecting cyber-critical infrastructure, and (4) protecting privacy and sensitive data.

**GAO Continues to Adapt
Its Products to Meet
Congress's Informational
Needs**

Product types. GAO's product line reflects varied presentations of information Congress has requested. GAO may be best known for its written products that detail the findings of GAO's evaluations and audits. But GAO also produces other types of written products to meet congressional needs and interests.

Some of these synthesize and package information relevant to current or emerging issues, generally in no more than two pages. For example, STAA produces "Science and Technology Spotlights" that explain emerging science and technology, including the opportunities and challenges, and relevant policy considerations associated with them. Similarly, we publish 1- or 2-page quick-reads on various topics, such as health care, defense-related acquisition, and energy. (See fig. 5.) We are currently developing quick-reads for other bodies of work to make policy-relevant information quickly available and easily understandable.

Figure 5: Examples of GAO's Science and Technology Spotlights and Quick-Read Products



Source: GAO. | GAO-22-900369

Other products help Congress track GAO recommendations and understand the President's budget. For example, Priority Recommendation Letters are sent to the heads of key departments and agencies, urging them to implement GAO recommendations that may

significantly improve government operations. We also share these letters with agencies' congressional oversight committees and make them publically available on our website. Another example is our Budget Justification Reviews, which provide appropriators timely, objective analyses of items in the President's proposed federal budget.

Finally, GAO has also used blog posts to share timely and compelling information. Our [WatchBlog](#) has been offering GAO's work in a medium-length, plain-language post format since 2014. In a recent example, shortly after the Colonial Pipeline Company announced that it was the victim of a cyberattack, GAO issued a blog post with an infographic that illustrated the U.S. pipeline systems' basic components and vulnerabilities. Our blog also reiterated recommendations GAO had made to address these vulnerabilities. Furthermore, on June 3, 2021, GAO provided a virtual brownbag on the topic that was attended by more than 60 congressional staff. GAO will continue to find innovative ways to meet Congressional needs, both through in-depth reports and by highlighting salient findings from across multiple, previously issued reports.

User-friendly formats. GAO recognizes that Congressional staff and users on the go may need to quickly and easily navigate information, so we have undertaken a number of digital initiatives since 2010. GAO currently shares information about reports, events, recruiting, and more on Twitter, Facebook, LinkedIn, and Instagram. As we established our presence on social media, we also worked to create more topical and user-friendly digital products to help expand GAO's reach. Specifically, we have a long-running podcast series that is hosted and produced in-house by our Office of Public Affairs. We also create infographics, interactive graphics, and videos to supplement reports, making data more accessible and our science, policy, and economics information easier to absorb.

Building on the success of our Fast Facts initiative—brief online summaries that help orient our readers to each of our reports—we are also working on other initiatives to improve the readability and accessibility of GAO's reports (see fig. 6). For example, we are currently piloting a shorter version of our Highlights page to give readers a better experience at the level of information between the Fast Facts summary and the full audit report.

Figure 6: Example of a GAO Fast Facts

Fast Facts

The National Guard counterdrug program has supported domestic law enforcement counterdrug activities for more than 30 years.

In our review of the program, we found:

- DOD's strategy is out of date and doesn't reflect current drug threats.
- In 2014, the National Guard rescinded its guidance for states on how to operate and administer the program—and hasn't replaced it yet.
- DOD has funded state counterdrug activities without first approving their plans.

We [recommended](#) ways for DOD and the National Guard to address these issues.

These National Guard counterdrug program helicopters helped law enforcement seize more than 20,000 marijuana plants worth more than \$23 million.



Source: U.S. Army National Guard photo by Staff Sgt. Scott Tynes. | GAO-19-27

Source: GAO. | GAO-22-900369

In fiscal year 2021, GAO deployed New Blue, our platform to edit, fact check, and distribute our reports. New Blue will streamline our publishing

processes to enable a web-based format that is accessible on mobile devices. GAO has used this platform for all our [COVID-19](#) comprehensive reports, [High Risk](#) Series reports, and [duplication, overlap, and fragmentation](#) reports.

GAO Is Poised To Help Congress Tackle Future Challenges and Issues

GAO's unique mission and structure, diverse and talented workforce, and external network make it well-positioned to continue to support Congress into the future. We recognize that our evolution is never done.

Mission and structure. GAO's unique mission—a mandate to monitor programs across the entire federal government—is supported by our institutional structure. This structure includes how the Comptroller General is appointed and the tenure of the position. A 10-member bicameral, bipartisan commission of congressional leaders recommends individuals to the President. The President then appoints the Comptroller General to a 15-year term with consent of the Senate. The longevity of the term helps ensure that the agency's work is not unduly influenced by outside interests, has consistent leadership, and maintains ongoing institutional knowledge.

Diverse and talented workforce. GAO has a highly diverse and professional multidisciplinary workforce. We maintain a workforce with training in many disciplines, including accounting, law, engineering, public and business administration, economics, and the social, physical, and data sciences. Our staff are highly-educated, with about 70 percent of our analyst community holding a Master's degree or higher, and many have substantial prior work experience. In addition, our staff is diverse. For example, in fiscal year 2020, women and people of color made up about 58 percent and 35 percent of the GAO workforce, respectively. We believe our diversity strengthens our ability to carry out our mission. In addition, only 14 percent of the workforce is eligible to retire, which will help provide the agency consistent leadership for years to come and the necessary institutional knowledge critical to doing our work.

GAO has been recognized by the Partnership for Public Service as one of the best places to work in the federal government, consistently ranking among the top five mid-size federal agencies for many years. In 2021, the Partnership ranked GAO first among mid-size agencies. The work environment that this ranking reflects, along with our important mission and interesting work, helps us attract and retain our talented staff. For instance, over the past 5 years, our retention rate has averaged about 94 percent—which fortifies our deep institutional knowledge.

External network. GAO's well-developed professional network spans the globe. Our network includes officials and experts—both domestically and internationally—from government, nonprofit, and private sector entities, academic institutions, and associations. We also maintain a contract with the National Academies that we can use to help us identify, connect, or meet with subject matter experts for our audit work and other technically-involved and strategic topics.

We also use a number of advisory boards that provide advice on carrying out our mission. The boards include the following:

- *Comptroller General's Advisory Board:* provides input to help update our strategic goals and address other issues of strategic importance. Advisory Board members include former senior government leaders and others with experience in the public and private sectors, non-governmental organizations, and academia.
- *Domestic Working Group:* brings together federal inspectors general and state and local audit officials on an informal basis to discuss topics of mutual interest, address common concerns, and promote collaborative efforts.
- *Educators Advisory Panel:* advises the Comptroller General on existing and emergent public policy issues as well as strategies, best practices, operations, and emerging human capital issues and trends related to recruitment, hiring, development, and retention of a diverse, talented, dedicated, and results-oriented workforce. The panel is comprised of deans and highly qualified professors from key public and private academic institutions.
- *Polaris Council:* brings together exceptional science, technology, and policy leaders and experts that advise the Chief Scientist on emerging science and technology issues facing the Congress.

In addition, we have strong working relationships with the accountability community. At the domestic level, this includes federal inspectors general, state and local audit organizations, private sector firms, and associations, such as the [National Association of State Auditors, Controllers, and Treasurers](#) and [Association of Local Government Auditors](#). We also collaborate with other auditing institutions through our leadership and participation in the International Organization of Supreme Audit Institutions—the umbrella organization for the external government audit community.

Finally, we launched the Center for Strategic Foresight in 2018 to help GAO fulfill its mission to support the Congress in making the federal government more efficient and effective. The Center has eight non-resident fellows who are experts in foresight and futures thinking from around the world. Collectively, the fellows' backgrounds span government, the private sector, non-governmental organizations, academia, and international organizations. The Center for Strategic Foresight is a unique entity in the United States government in that it is located in the legislative branch and reflects the full scope of GAO's oversight mission across the entire federal enterprise.

Regular feedback. To ensure that we are meeting congressional needs, we regularly seek feedback from Members and congressional staff. The Comptroller General meets with the Chairs and Ranking Members of congressional committees to obtain their views on our work, including their priorities, and to discuss opportunities and challenges facing our nation.

In addition, we survey congressional staff when we issue products to assess their satisfaction with the quality, timeliness, and overall experience. We have periodically collected feedback through a project called "Voice of the Client" (VOC). Most recently, for the 2021 VOC, we queried congressional staff about the types of information they needed to do their work; sources they used to obtain that information; and where GAO fits in to that equation. We also asked staff about which of our services they used; how they used them; and ways in which we could improve on our services and products to meet their needs.

Like past iterations of VOC, we synthesized the information we collected in the interviews to identify opportunities for improvement. For example, during the 2014 VOC, several clients said they wanted access to information about start times for pending requests, their committee's portfolio of pending, ongoing, and completed work, and the implementation status of recommendations. In response, GAO redesigned its website, [Watchdog](#), accessible only by congressional staff, where they could search for ongoing work by topic and learn about those engagements' objectives, scope, and methodology and access other information about GAO products and services. Watchdog also links to GAO's publicly accessible recommendations database. This [database](#) allows anyone to search open recommendations by agency, or subject term.

Chair Kilmer, Vice Chair Timmons, and Members of the Committee, this concludes my prepared statement. I would be pleased to respond to any questions.

Contacts and Acknowledgments

If you or your staff have any questions about this testimony, please contact A. Nicole Clowers, Managing Director, Congressional Relations at (202) 512-4400 or clowersa@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this statement. GAO staff who made contributions to this statement include Gregory Borecki, Patrick Dibattista, Kristine Hassinger, Jeffery Haywood, Anika McMillon, Sara Pelton, Jessica Smith and Cathleen Hamann Whitmore.

Appendix I: GAO's Strategic Framework

Figure 7: GAO's Strategic Framework



Source: GAO | GAO-22-900369

GAO's Mission	The Government Accountability Office, the audit, evaluation, and investigative arm of Congress, exists to support Congress in meeting its constitutional responsibilities and to help improve the performance and accountability of the federal government for the American people. GAO examines the use of public funds; evaluates federal programs and policies; and provides analyses, recommendations, and other assistance to help Congress make informed oversight, policy, and funding decisions. GAO's commitment to good government is reflected in its core values of accountability, integrity, and reliability.
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The CHAIRMAN. Thank you.

Our next witness is Mary Mazanec. Dr. Mazanec has served as Director of the Congressional Research Service since December 2011.

Before joining CRS, Dr. Mazanec served as a Deputy Assistant Secretary and Director of the Office of Medicine, Science, and Public Health in the Office of the Assistant Secretary for Preparedness and Response at the Department of Health and Human Services.

Dr. Mazanec, welcome. You are now recognized for 5 minutes.

STATEMENT OF MARY MAZANEC, PH.D.

Ms. MAZANEC. Chairman Kilmer, Vice Chair Timmons—

Mr. DODARO. Press it one more time. There we go.

Ms. MAZANEC. Is it on?

Mr. DODARO. Yep.

The CHAIRMAN. Now it is on.

Ms. MAZANEC. Anyway, thank you for the opportunity to speak with you today about the efforts of the Congressional Research Service to optimize its services for Congress.

In addition to addressing your questions, I will highlight some of the initiatives CRS has undertaken to ensure that we continue to provide exceptional support to a 21st-century Congress. I will also outline some of the challenges that CRS faces as it strives to keep pace with the evolving needs of Congress.

Since its establishment in 1914, CRS has diligently carried out its mandate to provide Congress with timely, objective, nonpartisan research, analysis, and information. However, the current Congress operates in a markedly different environment than that of its predecessors. In addition, Congress continues to grapple with increasingly complex public policy issues in a period of constrained resources.

Also, technological advancements provide Congress immediate access to more information sources than at any prior time in history. However, not all of these sources are authoritative and without bias. Also as a result of advances in IT, congressional offices can now instantly communicate by way of email, the internet, and other web-based applications. These innovations have created expectations on the part of congressional users that the information, analysis, and consultative support they need will be readily available and accessible whenever and wherever they wish to retrieve it.

To this end, as Congress has evolved and in response to feedback from congressional stakeholders, the Service has undertaken a number of initiatives. And I want to give you some examples.

In order to meet the diverse needs of congressional users, in addition to our longer analytical reports, the Service has developed shorter, more concise products to provide timely information and analysis on emerging issues.

Also, CRS has diversified its product line, creating and piloting new visual and audio formats such as instructional videos, interactive graphics, and podcasts. These newer products enable Members and staff to access the Service's expertise at their convenience and in a format that they prefer.

In response to congressional interest, CRS has instituted hiring actions to bolster expertise in emerging or expanding policy areas. For example, CRS created 12 additional positions to strengthen our support on science and technology issues.

The Service continues to work with the Library's Office of the Chief Information Officer to modernize its IT infrastructure. This multiyear initiative will provide CRS staff with the best resources to create and deliver products and services to Congress.

Finally, CRS continues to collaborate with the Legislative Branch Bulk Data Task Force, the House Clerk, and the House Legislative Counsel to implement modern legislative data interchanges and develop tools and data standards that are critical to analyzing the impact of proposed legislation.

Now I would like to turn and flag three pressing challenges that the Service faces.

First, continued recruitment and retention of a dedicated, professional workforce is essential to the Service's mission and is a top priority for CRS. Given the current market for talent, this will require resources to bolster and replenish the analytical capacity necessary to support the Congress.

Additionally, CRS recognizes that Congress represents an increasingly diverse constituency. Therefore, it is imperative that the Service continues to build and maintain a diverse workforce. As such, CRS is implementing a number of strategies to address this other top priority.

Second, preserving CRS's institutional knowledge is an important component to our ability to serve you. CRS is developing and implementing strategies to manage the knowledge that it creates, including the capture of tacit knowledge held by senior analysts, attorneys, and information professionals.

Third, our experience during the pandemic only reinforced the fact that information technology is a critical tool that the Service employs to accomplish its mission. Implementing and maintaining useful technology is costly and labor-intensive yet mandatory to support our work for you.

Finally, I want to thank you for allowing me to contribute to this discussion today, and I will be happy to respond to your questions.

Statement of Mary B. Mazanec
Director, Congressional Research Service
Before the
Select Committee on the Modernization of Congress
U.S. House of Representatives
September 28, 2021

Chairman Kilmer, Vice Chairman Timmons, and Members of the Committee,

Thank you for the opportunity to participate in this hearing on the modernization of congressional support agencies, and to inform the committee's examination of how the Congressional Research Service (CRS) can optimize the services it provides to an evolving Congress. Ensuring that our products and services continue to meet the needs of Congress is a bedrock objective for CRS and one that serves as the basis underlying every aspect of the Service's strategic and operational decision making. With today's testimony, I look forward to highlighting for the Committee the many initiatives CRS has undertaken to ensure that it continues to provide exceptional research, analysis, and information to a 21st century Congress. In addition, I will outline several challenges CRS faces with respect to its ability to keep pace with the evolving needs and demands of Congress and offer the Service's thinking regarding future priorities.

SERVICE TO CONGRESS: CRS'S ENDURING MISSION

Since its establishment in 1914, the mission of CRS has been driven by service to Congress. Reflecting that legacy, our mission today is clear:

To serve Congress with the highest quality of research, analysis, information, and confidential consultation, to support the exercise of its legislative, representational, and oversight duties as a co-equal branch of government.

While our mission to serve Congress has remained the same, fulfilling this responsibility for more than a century has required the Service to adapt its products, services, and operations to meet the changing needs of Congress. Consequently, what began as primarily a reference service for the Congresses of the early 20th century has evolved into a unique institutional resource offering the full range of research, analytical, and information services, and consultative expertise to address increasingly complex public policy issues before today's Congress.

Today, CRS supports Congress during every stage of the legislative process across the full spectrum of timely public policy issues including: agriculture; international trade; border security; cybersecurity and data privacy; foreign affairs; climate change; prescription drug development and distribution; and healthcare reform. CRS experts also provide assistance on questions related to oversight, legislative procedure, executive branch operations, constitutional law, federal agency rulemaking, judicial nominations, and the budget and appropriations process.

While final fiscal 2021 numbers are not yet available, thus far, CRS experts have responded to over 68,000 congressional requests; prepared over 1,000 new products; updated over 2,300 existing products; and conducted 250 seminars that were attended by approximately 11,000 congressional participants. As in previous years, the Service provided support to almost every Member and committee office through the provision of its products and services.

CRS's response throughout the COVID-19 pandemic vividly illustrates the Service's continuing commitment to adapt its operations and service offerings to meet the changing needs of Congress. In March of 2020, as news of the impending pandemic grew increasingly dire, CRS worked quickly to execute the CRS pandemic plan to ensure that it would continue to support Congress's needs during any prolonged pandemic event. Within 24 hours, the Service transitioned its entire operation, expanding existing workplace flexibilities to enable staff to work remotely full-time. As a result, CRS was well positioned to provide Congress with timely analysis, information, and consultative support as it considered the plethora of issues presented by this public health crisis. From March 2020 through August 2021, CRS has prepared and regularly updated over 1,100 new products on COVID-19-related issues. To enable expedited access to these products, a COVID-19 resource page was developed on the CRS.gov and Congress.gov websites, organizing CRS-prepared material under 26 issue areas, covering topics ranging from the temporary moratorium on evictions provided under the Coronavirus Aid, Relief, and Economic Security (CARES) Act to frequently asked questions regarding testing for COVID-19. Several of these products incorporated custom CRS graphics. In addition, CRS experts have responded to over 10,000 COVID-related inquiries. CRS continues to support Congress as the issues presented by the pandemic evolve.

MEETING THE NEEDS OF AN EVOLVING CONGRESS

It is indisputable that the Congress of the 21st century operates in a markedly different environment than that of its predecessors. Policy issues have grown more complex and multifaceted and carry national and, in many cases, global implications. Technological innovation has provided Congress access to more information sources than at any prior time in its history and has enabled virtually instant communication to and from constituents and congressional support staff. These innovations have created expectations on the part of congressional users that the information and analysis they require from CRS will be readily available and accessible whenever and wherever they wish to retrieve it. Moreover, there is a continuous influx of new Members and staff, who often have changing preferences for how information and analysis is communicated and presented to them. CRS is keenly aware of the implications these developments present for its service to Congress, and has undertaken a number of initiatives to ensure that service offerings and operational capabilities are aligned to meet the needs of a contemporary Congress.

Feedback from Congressional Users

Capturing feedback from congressional stakeholders has been an important step in assessing CRS's progress in meeting the needs of Congress. Most recently, in fiscal 2020, CRS contracted with Gallup, Inc., to conduct a survey of congressional staff designed to gauge the value and utility of various research products and consultative services offered by CRS, as well as to gather information about how such products and services are used by Congress. Gallup contacted over 13,700 congressional staff from early February through mid-March 2020 and received survey responses from over 1,300 district, state, and DC-based staff members. In addition, the Service has developed tools to assess the use of CRS products and services and to provide insights on congressional interests. A major area of data collection has involved understanding CRS.gov usage by congressional users. These efforts include the capture and analysis of search terms utilized on CRS.gov and use analysis of general pages on the site, topic pages, and CRS products.

Beyond assessment of website use, CRS has developed prototype data analytic tools to reflect the scope and depth of CRS service to Congress. These tools have been used by CRS

management to anticipate and evaluate work demands, understand the range of clients receiving consultative services and help ensure that CRS reaches all Members and committees. CRS continues to explore new data available from congressional and public use of CRS products, websites, and services.

Products and Services

CRS is constantly examining its product offerings to ensure that its information and analysis is presented in a manner that is most useful to congressional users. In response to the demand for products that provide a rapid response to emerging issues and developments, the Service expanded its product line to include the CRS In Focus, the CRS Insights and Legal Sidebar, and short reports, all of which provide more abbreviated examination of such topics.

In September 2017, CRS launched its line of podcast products to enable Members and staff to access the Service's expertise at their convenience. The product line currently consists of 30 podcasts, providing discussions of timely topics of interest to a congressional audience. The podcasts are intended to provide a concise overview of an issue and its congressional context. CRS developed this product in recognition of the growing variety of ways congressional users are engaging multimedia platforms to obtain information relevant to their work.

CRS is leveraging data visualization tools and technology to implement a pilot project to support the publishing of interactive graphics to CRS.gov. While still in its preliminary stages, CRS successfully added interactive graphic capability to CRS.gov this past spring with plans to expand interactive product offerings over the next fiscal year. In addition, CRS piloted an instructional video series of products to help explain the Budget Control Act.

Congress authorized the development of a legislative information retrieval system to "reduce the cost of information support for the Congress by eliminating duplication among systems which provide electronic access by Congress to legislative information." (2 U.S.C. §180) In response, Congress.gov was created and launched in 2012. CRS's Congress.gov team works collaboratively with the Legislative Branch Bulk Data Task Force, and House Clerk technology teams to modernize processes used to exchange data between CRS and its data partners in the House and Senate chambers. These efforts will better safeguard congressional data by retiring less secure legacy data processing workflows. CRS Bill Summary authors are part of a pilot

group, led by the Office of the House Clerk and House Office of Legislative Counsel, to develop tools and data standards that are critical to analyzing the impact of proposed legislation on current law.

Increased Analytical Capacity

CRS has expanded its capacity to address science and technology issues as part of its holistic approach to policy analysis. The Service created 12 additional positions in multiple divisions in order to strengthen and deepen analysis of multidisciplinary policy topics where science and technology issues have a substantive component. This has included energy, environment, and natural resources positions, as well as positions focusing expressly on innovation, technology, and the role of science and technology in society. Selection of the best qualified candidates for these positions is ongoing, and several have come onboard in FY2021. In addition, to support Congress in its consideration of topics with a science or technology component, CRS provides programming in the form of webinars, including a series of webinars on domestic energy production and transmission, telecommunications issues, and others.

IT Modernization

CRS continues to work with the Library's Office of the Chief Information Officer (OCIO) to modernize its IT infrastructure with the deployment of new tools and software to enhance support to Congress. The Integrated Research and Information System (IRIS) initiative is a multi-year effort to update the Service's mission-specific information technology to provide CRS staff with the best resources to create and deliver products and services to Congress. CRS and OCIO are currently implementing several major work streams. These efforts include updating the congressional request management system, implementing an enhanced taxonomy and search engine to enhance discovery of CRS products, and modernizing the text analysis program to provide greater ease of conducting legislative analysis and comparisons. These improvements are in varying stages of development and implementation.

CHALLENGES AND FUTURE PRIORITIES

Supporting an evolving Congress necessarily requires addressing the challenges that it faces. As noted above, today's Congress grapples with an ever-increasing workload of complex public

policy issues, often with limited institutional resources. Moreover, although the 21st century Congress enjoys access to a wealth of information, not all sources are authoritative or without bias. CRS's greatest asset in successfully supporting Congress in addressing these challenges is the cadre of dedicated professionals who work in concert across the organization to carry out its mission. As such, maintaining a highly motivated, well-trained workforce to support the diverse needs of Congress is a priority for the Service and will require resources to bolster and replenish analytical capacity. In recognition that it serves a Congress that represents a broadening range of interests and diverse constituents, CRS is committed to building and maintaining a diverse and inclusive workplace and one that respects the diversity of people, views, and ideas. The Service is implementing a number of strategies to improve the diversity of applicant pools for CRS positions and to foster a more inclusive working environment.

In addition, preserving the institutional resources and knowledge that CRS contributes to inform Congress's work is an important component to the Service's continued support. Currently, CRS is developing strategies to manage the knowledge and resources that it relies upon so heavily to provide exceptional service to Congress, including efforts to ensure the capture and timely transfer of the tacit knowledge held by senior analysts, attorneys and information professionals.

Finally, CRS's experience working remotely over the last 18-months has demonstrated how critical, reliable, state-of-the-art IT capability will be to effectively serve the Congress going forward. Working in partnership with the Library's Chief Information Officer (OCIO), CRS must keep pace with the latest enhancements in technology to ensure that it is capable of supporting Congress in any operating environment.

CONCLUSION

On behalf of my colleagues at CRS, thank you for allowing me to contribute to this discussion on the modernization of Congress. CRS relishes its role in support of the important work of Congress. Each day, the Service strives to carry out its mandate to provide Congress with timely, authoritative, non-partisan, and objective support to inform the legislative debate. Fulfilling this responsibility necessarily involves adapting operational capabilities to meet the needs of

Congress in an ever-changing environment. I look forward to working with the Congress to identify additional steps that can be taken to accomplish this important objective.

The CHAIRMAN. Thank you, Dr. Mazanec.

And our final witness on this panel is Phillip Swagel. Dr. Swagel has served as the Director of the Congressional Budget Office since June of 2019.

Prior to joining CBO, he was a professor of international economics at the University of Maryland's School of Public Policy. He previously served as the Assistant Secretary of the Treasury for Economic Policy from 2006 to 2009. Dr. Swagel has also served as chief of staff and as a senior economist at the White House Council of Economic Advisers.

Dr. Swagel, you are now recognized for 5 minutes.

STATEMENT OF PHILLIP SWAGEL, PH.D.

Mr. SWAGEL. Thank you. Thank you, Chair Kilmer, Vice Chair Timmons, and members of the select committee. Thank you for the opportunity to discuss the efforts of the Congressional Budget Office to enhance our transparency, our effectiveness, and efficiency.

Today, I will highlight four aspects of our work.

First, CBO is focused on responsiveness and on transparency. Beginning in fiscal year 2019, the Congress increased our budget to bolster that process, to expand staffing in high-demand areas, such as healthcare and immigration, to organize our staff to work on broader shared portfolios, and to publish more data and documentation about our methods. And we report to the Congress about our work in progress every 3 months.

We work hard to make our work accessible. We have improved access to our cost estimates, in particular, on our website, for example, by improving our search function and adding more information to the web pages for each bill. There is a link to the bill text and other information on Congress.gov from the CBO landing pages.

Okay. So that is one, on responsiveness and transparency.

Second, we are working, you know, as my colleagues here in the other agencies have said, to increase the diversity of our workforce. And attracting and retaining a diverse workforce, it helps us have the best possible staff, and our work benefits from these different perspectives and different experiences.

So, last year, in 2020, we created a diversity and inclusion working group. And the mandate of that group includes recommending ways to increase the representation of diverse staff—of women, minorities, people with disabilities—in our agency's workforce and then, on the substance of what we do, to ensure that all staff can contribute successfully to our work and to our culture.

So that is number two.

Number three is, we at CBO are increasing access to data. We have in place more than three dozen data agreements for protected information, and we are working to arrange agreements that allow our analysts even greater access to data, especially remote data. We have done a lot during the pandemic to enhance our ability to access information remotely and to do it securely, as well, to guard against cyber threats.

And fourth and lastly, we continue to make organizational changes and operational changes to better serve the Congress. And part of that is that, as legislation has grown more complex, we are

just doing more work and spending more time providing technical assistance during the drafting stage of legislation. You know, so it doesn't always result in a cost estimate, but our work will be generally with the committee staff while they are developing legislation.

On cost estimates, we have prepared cost estimates more often for bills that are heading for votes without being marked up for committees. And we strive to do this to meet the needs of the Congress while fulfilling our statutory requirement to prepare cost estimates for bills approved by committees and other reports specified in law about the budget and the economy.

We have reorganized our staff as well. You know, part of it is to address three priority areas that we see the Congress focusing on. One is healthcare, second is income security, and a third is the combination of climate, energy, and infrastructure. And then we have also created a new unit in our Budget Analysis Division focused on education, housing, and finance, essentially to improve our capacity to do cost estimates in those areas.

So let me finish there. In conclusion, CBO remains committed to becoming even more transparent, more effective, and more efficient, and we will continue to innovate to best support the Congress.

Thank you.

Congressional Budget Office
Nonpartisan Analysis for the U.S. Congress



TESTIMONY

**CBO's Efforts to Enhance Its
Transparency, Effectiveness,
and Efficiency**

Phillip L. Swagel
Director

Before the Select Committee on the
Modernization of Congress
U.S. House of Representatives

OCTOBER 21 | 2021

Chair Kilmer, Vice Chair Timmons, and Members of the Select Committee, thank you for the opportunity to discuss the efforts of the Congressional Budget Office to enhance its transparency, effectiveness, and efficiency. Today I will highlight four key things.

*First, CBO is focused on continuously improving its responsiveness and transparency.*¹ Beginning in fiscal year 2019, the Congress increased our budget to bolster that process—for example, to expand staffing in high-demand areas, such as health care and immigration; to organize staff to work on broader, shared portfolios; and to publish more data and documentation about the methods the agency uses to analyze various topics.² We report to the Congress about the topics addressed in our transparency efforts and about other work in progress every three months.³ To give a few examples of forthcoming publications that will provide insight into how we do our work, we will soon release:

- A description of how CBO models effective tax rates on capital income,
- An examination of how consumers and businesses form expectations of inflation, and
- A technical description of a model the agency uses to estimate the likelihood that the unemployment rate will exceed various thresholds.

Making our work more accessible is another example of our recent efforts to continuously improve. We now publish all of our reports in a mobile-friendly format and have created interactive tools, slide decks, and visual summaries of reports. We have improved readers' access to cost estimates in particular: New, predictable URLs help readers locate the estimates more quickly on CBO's website; new filters allow readers to search for estimates by their associated legislation's 10-year total effects on direct spending, revenues, and deficits; each estimate's web page now includes a link to the associated bill's text and legislative information at Congress.gov; and the

estimates are presented in a way that makes it easier to find pertinent information.

Second, CBO is working to increase the diversity of its workforce. Attracting and retaining a diverse workforce are crucial parts of ensuring that we have the best possible staff and that our work benefits from different perspectives and experiences.⁴ In 2020, we created a diversity and inclusion working group. That group's mandate includes recommending ways to increase the representation of women, minorities, and people with disabilities in the agency's workforce and to ensure that all staff can successfully contribute to CBO's work and culture.

Third, CBO is increasing its access to data. We pull together information from many different federal agencies to do our work.⁵ We currently have in place more than three dozen data use agreements for protected information. Still, obtaining data from agencies can present challenges—such as the length of time it can take to receive the data. To meet that challenge, we are pursuing agreements that allow our analysts remote access to restricted data. Simultaneously, we continue to invest in certain physical security measures to protect access to that data. We have also enhanced our ability to assess and detect cyber threats and have implemented multifactor authentication—helping keep data secure.

Fourth, CBO continues to make organizational and operational changes in response to new developments. To illustrate how we might adapt to such developments in the future, I will give some examples of things we have already done. As legislation has grown more complex, we have spent more time providing preliminary analyses and technical assistance during the drafting stage. We have also prepared cost estimates more often than in the past for bills that are heading for votes without first being marked up by committees.⁶ A consequence of those changes is that our workload has grown considerably.

1. See Congressional Budget Office, *Transparency at CBO: Future Plans and a Review of 2020* (March 2021), www.cbo.gov/publication/57008.

2. See Congressional Budget Office, *The Congressional Budget Office's Request for Appropriations for Fiscal Year 2022* (February 2021), www.cbo.gov/publication/57265.

3. See Congressional Budget Office, *CBO's Recent Publications and Work in Progress as of July 2, 2021* (July 2021), www.cbo.gov/publication/57253.

4. See Congressional Budget Office, "Diversity and Inclusion" (accessed September 13, 2021), www.cbo.gov/about/careers/diversity-and-inclusion.

5. See Congressional Budget Office, *The Congressional Budget Office's Access to Data From Federal Agencies* (June 2021), www.cbo.gov/publication/57150.

6. To learn more, see Congressional Budget Office, *10 Things to Know About CBO* (January 2021), www.cbo.gov/about/10-things-to-know, and *An Introduction to the Congressional Budget Office* (January 2021), www.cbo.gov/sites/default/files/Intro-to-CBO-2021.pdf (158 KB).

We strive to meet new demands while also fulfilling our statutory requirement to prepare cost estimates for bills approved by committees and other reports specified in law about the budget and economy.

To accommodate the Congress's changing agenda, we have developed new analytical capacity and reorganized staff. Over the past several years, the agency has improved its capability to study how legislative proposals would affect the economy and thus the budget as the Congress continues to be interested in such "dynamic analysis." More recently, we have strengthened our ability to analyze climate issues to better prepare for legislative proposals on that front. And as part of our efforts to anticipate future needs of the Congress, we realigned our organizational divisions in 2021 to better address three priority areas—health; income security; and climate, energy, and infrastructure—and we created a new unit in our Budget Analysis Division focused on education, housing, and finance.

Even as we plan for the Congress's future needs, we are aware that those needs may change in the face of unforeseen events. The 2020–2021 coronavirus pandemic, for example, posed challenges that required swift action. The agency quickly focused its resources on modeling the economic and budgetary effects of the pandemic—including establishing a cross-agency working group for that purpose. In addition, we published updates of our budget and economic projections more frequently to provide the Congress with timely information in the midst of rapidly changing circumstances.

To ensure that the pandemic would not impede our work for the Congress, we sped up our modernization efforts and asked our staff to innovate, quickly shifting

to a remote work environment. We streamlined some of our procedures, changing to an entirely paperless process for producing cost estimates, for example. We also moved our most intensive computing operations to the cloud—making them more efficient in the process—and increased our ability to access data remotely.

In conclusion, CBO remains committed to becoming even more transparent, effective, and efficient, and we will continue to innovate to best support the Congress.

This testimony was prepared by Leigh Angres, with contributions from many people at the Congressional Budget Office. In keeping with CBO's mandate to provide objective, impartial analysis, the testimony makes no recommendations.

Mark Hadley, Jeffrey Kling, and Robert Sunshine reviewed the testimony. Scott Craver was the editor, and Casey Labrack was the graphics editor. It is available on CBO's website at www.cbo.gov/publication/57329.

CBO continuously seeks feedback to make its work as useful as possible. Please send any comments to communications@cbo.gov.



Phillip L. Swagel
Director



The CHAIRMAN. Thank you.

I now recognize myself and Vice Chair Timmons to begin a period of extended questioning of the witnesses. Any member who wishes to speak should just signal their request to either me or to Vice Chair Timmons.

So I have two threads I want to pull, and then I am eager to kick it to others.

One, I just want to give you an opportunity—we are going to hear from a second panel of folks who have looked at your agencies from the outside and maybe have some ideas around areas we could optimize, better support your missions. I know you had a chance to look at their testimony, and I just wanted to invite—if you have insights into anything that they are going to tell us, I want to give you an opportunity to swing at that pitch. So anybody have anything they want to say on that front?

Yeah, go ahead. And I will just go down the line.

Mr. DODARO. Yeah. First, I appreciate the interest, always, from anybody, and ideas. And that is the way you improve your operations.

The person who will be testifying regarding GAO is, you know, complimentary of the accomplishments of the agency and is advocating for additional resources and makes a number of suggestions. I am, obviously, very supportive of the increased resources there.

There is one proposal, though, a major proposal, that is made that I am not in favor of at all. And that is creating a separate entity within GAO for science and technology policy issues.

This is how duplication and overlap start in the Federal Government. We have issued hundreds of reports on these issues over the years, and this is not a good idea. And I also don't think that—placing a decades-old model that Congress has decided not to fund for 25 years in GAO is not my idea of modernization. And I just think it would be a bad idea.

I think that the independent study done by the National Academy of Public Administration that concluded that Congress support GAO and CRS and, if they wanted additional—if Congress wanted an additional resource, to create a small office in the Congress for technology absorption issues, I think that is a better approach in those areas.

And so, you know, I mean, to take, you know, as I am saying, an old model and put it in an otherwise well-functioning organization, it reminds me of the Hippocratic Oath, you know, “First, do no harm.” And I think that that would harm GAO's reputation over time.

And I am happy to talk to Congress and focus on what outcomes that you want, as opposed to what kind of process, you know, that we decide, you know, and how we manage the agency. But bifurcating an agency is not a good idea.

The CHAIRMAN. Uh-huh.

Go ahead.

Ms. MAZANEC. Okay. So I read with great interest—

The CHAIRMAN. You may want to move the mike closer. It may be on, but just far away.

Ms. MAZANEC. Is it on?

The CHAIRMAN. That is on. Yeah.

Ms. MAZANEC. Okay. Thank you.

I take feedback about CRS very seriously, and I wish we could actually get more feedback from congressional users so that we can help you better.

There are some points in her testimony that I agree with, and then there are other points that I do not concur with.

So I agree with the fact that Congress needs shorter products. We recognized this need about 5, 6 years ago and started to create shorter products. We serve a diverse congressional user population, and they have varying needs.

I do not agree that the longer analytical reports are not being read. I have heard from Members and from congressional staff that they do read our longer analytical reports.

We are always trying to present our research and analysis in different and new formats to be digested by the congressional user in the way that they find best for them.

So that is one point.

An issue was raised about a timeliness of a product. And that was the first I heard about that. Timeliness is one of our core values. We do whatever we can to meet your deadlines.

However, we are a high-volume operation. In fiscal year 2020, we had over 75,000 targeted research requests, and we have limited staff. And so we do prioritize, starting with requests that are time-sensitive—if they are tied to floor action, a markup, or something that is moving.

We do talk to the requester. We try to come up with an agreed-upon approach moving forward. We try to meet your timeline, like I said, with what we can deliver on your timeline. Because we know you have deadlines that you have to meet.

The other issue that was surprising to me is an issue that was raised about gender issues and gender equity. As the first woman to head up CRS since its beginning, I take that very seriously. And, in fact, last spring, we did look at hiring, salary, and promotion with respect to gender, and we did not find a consistent pattern that would suggest that there is a gender equity issue. But we are always tracking that and watching that.

Like most Federal agencies, we are challenged by the diversity issue. We want to recruit and retain a diverse workforce, and that would include women. Actually, we are predominantly women; we are 57 percent women at this point in time. So we have a strategic initiative focused on that.

So I think those are the points that I would mention at this point, but I am happy to follow up on other ones if you have specific questions.

The CHAIRMAN. Thank you.

Mr. SWAGEL. Yeah, great, thank you. And, yeah, I thought Phil Joyce's testimony was excellent. And, I mean, he has written the book on CBO, so it is not surprising.

I will just mention two things from his testimony.

One, you know, the first one, I just deeply agree on, and this is the key aspect of making sure our work is nonpartisan and objective. And, you know, obviously, that is my foremost responsibility as Director. You know, fortunately, it is deeply embedded in the agency, in the DNA of the agency.

So, you know, I think that is number one. And this is where we are the opposite of Gene and opposite of GAO, right? You know, such a valuable part of the work at GAO are the recommendations, right? Here is a problem, here are suggestions on how to fix it. And, you know, we stay away from that. And, again, it is just a different—it is a different mission.

The other aspect of Phil's testimony that I think is really interesting and, again, I agree with is the thinking about the broader issues, you know, so the benefits. And, of course, you know, at CBO, our bread and butter is the cost, you know, how much does something cost. But, of course, we know Members want to know, well, what are the benefits? And that, we strive to provide as much information as we can—you know, first explain the costs and then provide the completeness on what are the impacts.

And, of course, the thing we need to stay away from is saying it is worth it or it is not worth it. Because, you know, intrinsically, that is up to you, up to policymakers, and not up to us. So that is just the balance we are trying to maintain. And, again, I agree with what he put.

On broader issues, the other one that is something I have been thinking a lot about is, what more information can we provide? And, of course, there is a lot of interest in the Congress on distributional analysis. And we have been increasing our capacity to do that. You know, we have longstanding reports on distributional issues, but we are trying to do more, and not just by income but by geography, by race, by other dimensions. And the data can be a challenge, but we are working on that.

And the challenge is, there are just these limitations. You know, there is no distributional baseline. We don't know the distribution of the existing, you know, current law, so it is hard to say how the distribution changes for every single piece of legislation. But it is something we are working on.

And kind of the same thing applies to regulation, that the idea of having us analyze every regulation is kind of beyond the edge of what we do or what we are set up to do. We can do it in limited fashion. If there is legislation to undo a regulation, well, of course we would analyze that and provide the costs and the impacts of that, but it would be hard for us to do it more broadly.

The CHAIRMAN. I want to just piggyback on the point you just made, because I think—I can't remember if it is the next or one of the next hearings we are going to have is related to evidence-based policymaking. It seems like one of the things that Congress grapples with as an institution. Members can't even agree on some of the facts and problem definition, let alone solutions. And so looking at how we elevate that issue is something that this committee is going to look at.

Mr. SWAGEL. Uh-huh.

The CHAIRMAN. You know, a few of you mentioned in your testimony, you know, trying to get more data analytic capabilities, access to data sets.

I just want to ask hopefully a short, directed question, because I want to get to other members.

Do you need anything further from Congress to be able to drive that kind of 21st-century data analytic capabilities within your in-

stitutions, or do you have it covered? Do you need more access to data sets? Do you need more access to data scientists? Do you need more access to—what?

Ms. MAZANEC. All of the above.

So we do deal with data sets, and we use it both for our research but we also use it to track usage and utilization of our products and services so that we can better position ourselves to support the Congress.

I think not only resourcing the technology that is needed to mine the trends—we do have a balanced scorecard initiative at CRS that is in pilot phase—but also personnel, data personnel, data scientists, would also be helpful.

So I agree with that. The more information we can get out of the data that we sit on, or data sets that other people have that we can obtain—and that would go to our research needs, which are expensive. Some of the research materials that we need to purchase are expensive. So that would be helpful.

Mr. DODARO. Yeah. As part of our effort to enhance our capabilities, we have set up an innovation lab in our science and technology function, and this would take a lot of data sets.

I have hired our first chief data scientist at GAO from the private sector, a well-qualified individual. We are bringing the data scientists. It is on our plan for this fiscal year to hire six or seven more data scientists. So we are in the midst of doing that, and I have asked for additional resources from the Congress to expand it.

Now, this data lab, so far, I mean, we are working on identity verification issues as part of a joint project with OMB and the Treasury Department to really figure out, you know, with all the fraud that occurs, to try to use data matching better to do identity verification, how to audit blockchain technologies. We have issued a first foundational document on how to audit artificial intelligence algorithms and have a framework for that. So we are off to a very good start with this activity.

Now, we have asked for some access modernization, and we have given Congress draft legislation to give us access to people and electronic data more. We have pretty good access to information throughout the Federal Government. We have unique access that, really, a lot of other people don't have. And so it is very important.

But we are augmenting that with additional data collection. I mean, as you know, the amount of data that is available exponentially grows every year, and your ability to absorb it is very important.

So we have started on this journey. We have a good plan; we are off to a good start. We could use some additional resources and help modernizing our access legislation.

The CHAIRMAN. Great.

Mr. SWAGEL. Access to data is something I think about a lot. We get access in two ways. One is from executive-branch agencies, and then two is from the statistical agencies.

You know, generally, the executive-branch agencies are pretty helpful. Just as an example that we are working on right now is on the toxic exposure legislation. There are bills in both the House and the Senate on this. And we have gotten a lot of information

from the VA, the Veterans Administration, and it is incredibly helpful. It is complex data we are asking for, you know, sort of very detailed financial and health information. It has taken them a while, but they have basically come through. So that is the kind of success; it has just taken a while. But they have been helpful.

The stats agencies—we get a lot of information from the Census and the IRS. And, of course, the challenge is the data security issue, right? We have to be good stewards of that and the security. And we are, and we work carefully with those too. And as the Congress wants more from us, that is something I would have to start thinking about, is, you know, if we are asked to do more distributional work, well, we might need more access to data as a result.

And we are not there yet, so I am not asking for more. And, again, I would want to make sure that any data we get are just, sort of, as limited as possible. So distinguish us from, you know, say, JCT, our sister agency, that has much broader access to tax information. And, you know, that is their business, and I just want to stay limited. But it is something I am thinking about.

Ms. MAZANEC. Can I—

The CHAIRMAN. Go ahead. Yeah, sure.

Ms. MAZANEC. Can I add—

The CHAIRMAN. Sure.

Ms. MAZANEC [continuing]. Something? After listening to my colleagues, I would like to make another point.

We also rely on data from executive-branch agencies to inform our work for you. It is critical that we have access to the data. Occasionally, executive-branch agencies are reluctant to share data with us. They ask us to submit a formal FOIA request, or they ask us why we need the data, who is it for, or they try to put restrictions on use of the data, where they don't want us to share it with third parties. All of that would make it more difficult for us to support you.

My authority to get information from the executive-branch agencies is in the organic statute. It is derived from the committees, and the committees have to authorize or I have to act as an agent of the committee. I do not have subpoena power. So anything to strengthen the authority that I have or the ability for me to get the data would be appreciated.

The CHAIRMAN. Okay.

Go ahead.

Mr. TIMMONS. Thank you.

Well, first, you said you liked feedback at CRS. Let me give you my feedback. I have had an incredible time working with some of your cybersecurity experts. Probably spent, I don't know, 6 or 8 hours with them. And they are extremely knowledgeable and generous with their time. So I have had a great experience.

Along those lines, what percent of Congressmembers or staff do you—offices—do you think reaches out to CRS on an annual or a 2-year basis?

Ms. MAZANEC. So, every year, virtually 100 percent of Members' offices and committees use CRS in some manner. I think the real challenge is making congressional users aware of the full spectrum of support that we offer to them and that it is not just our written products.

And so we have intensified our outreach, especially at the beginning of a Congress or the beginning of a session, to try to make them aware of everything that we can do to support their work for the American people.

Mr. TIMMONS. I am surprised at that answer, but I think that is fantastic. Thank you.

Each of your agencies mentioned retention and recruitment as an issue. Obviously, during the pandemic, we saw the capabilities of videoteleconferencing. And do you anticipate offering telework positions?

Obviously, you are somewhat limited with your resources, but I have to tell you, the dollar goes a lot further in South Carolina than it does here in Washington.

So, you know, is that something you all are looking at to try to facilitate better staffing opportunities?

Mr. SWAGEL. I can answer first.

Yes, it is. And, you know, we anticipate, as we continue to come back into the office, you know, more fully, that we will have some positions that staff have the option to be fully remote. It is going to be, you know, a limited number, and we are going to look at it carefully and start carefully, but I do anticipate that.

And then it could be for spans of work. It could be someone is going to be able to work for a couple weeks remotely, you know, maybe, if not full-time. So we do see doing that.

Ms. MAZANEC. So we were in a hybrid situation pre-pandemic. We had a telework option. Within a 24-hour period at the start of the pandemic, we transitioned to a virtual environment. And I think we have done fairly well.

Telework is governed by a side agreement to our CBA. We are in the middle of negotiations. We are also within the Library, and the Library has a framework for telework.

We certainly have learned a great deal about the experience during a pandemic. I suspect that, post-pandemic, we will have, again, a hybrid work environment with increased flexibilities.

We will not—we will have telework within the capital region, but, at this point, we are not planning to offer telework at a distance.

Mr. DODARO. Yeah. First, you know, we don't have a problem with recruitment and retention. I mean, our retention rate is 94 percent. Past few years, it has gone down. I mean, we are only, like, you know, 5 percent attrition, we are expecting.

We have been able to attract and retain a very diverse workforce in GAO. We have 58 percent women, 34 percent minorities. We have been ranked number one in the government for several years on commitment to diversity, equity, and inclusion issues.

We allowed telework pre-pandemic in a very generous way. People could work up to, you know, 66 out of 80 hours in a 2-week pay period remotely and telework. I expect that to continue. That is why we didn't have much problem moving to telework.

Now, what we have learned, though, in the pandemic, as you are saying, Congressman Timmons, is that, when we opened up recruitment, particularly for interns, which is our main pipeline for hiring, we were able to get a more diverse group of interns by not having them be in our field offices or in GAO headquarters. So we

are moving to have our internship program be open for more remote learning as well.

And I have a group studying what the operating posture would look like when we come out of the pandemic, and then we will have to negotiate with the union. But these are very important issues, so I am open to considering these things. But, you know—so we will work through them.

But on the intern thing, I think it is a great idea. And I have talked to a number of other Members who have the same views that you do.

Mr. TIMMONS. Great.

One other quick question. We made recommendations last Congress regarding the schedule to essentially be here more and travel less.

I imagine it wouldn't affect your two agencies if Congress was here 50 percent more—for example, in 2019, we were here 65 full working days and 66 travel days. You can make some changes to the schedule that would allow us to be here 90 days, maybe 110 full days a year. I don't think it would affect you all.

But there was talk that maybe you all have issues with the congressional calendar and capacity. Could you speak to that? Or is that—

Mr. SWAGEL. Sure, sure. I can speak.

You know, we work however the Congress works. You know, the challenges with the calendar and the schedule come, you know, just in terms of the budget process, right? The way the budget process is working is not exactly the way it was set down in the 1975 act. We will put it that way.

So that poses a challenge. I mean, even things like, when is our next budget update? Well, knowing if the Infrastructure Investment and Jobs Act and whatever the next, you know, reconciliation bill, if those are enacted or not enacted, you know, that would affect the macro-economy, that would affect, you know, sort of, throughout the budget. And so we are sort of on hold with our next budget update, waiting. So that is the kind of scheduling challenge we have.

Mr. TIMMONS. So it is not so much, if Congress were here more, it would create a capacity issue. It is more whether we do our job in a timely manner, and that is more the issue.

Mr. SWAGEL. Right. I mean, I think—and we support the Congress however the Congress works—

Mr. TIMMONS. Okay.

Mr. SWAGEL [continuing]. But those are the challenges. And, when Congress is away, you know, we are pretty engaged with the staff, so, you know, that works fine.

Mr. TIMMONS. Do you all have any issues if Congress was here 50 percent more full working days?

Mr. DODARO. No.

Mr. TIMMONS. No capacity issues? Okay.

Mr. DODARO. No.

Ms. MAZANEC. No.

Mr. DODARO. The main thing I would comment on is, if there is anything that could be done to make sure that the appropriations are done on time.

You know, one thing I never aspired to be in the government is an expert managing under continuing resolutions. And that has an effect on your ability to plan and manage. You know, I mean, it would affect people in the private sector or affect anybody.

And so, you know, we have been able to adapt and deal with things, but, to me, that is the most important timing issue that I would encourage, you know, Congress to consider.

Mr. TIMMONS. Sure.

Thank you, Mr. Chairman. I yield back.

The CHAIRMAN. Ms. Williams is on virtually.

Ms. WILLIAMS. Thank you, Mr. Chairman.

And I want to apologize to all of our witnesses and the fellow committee members this morning for being virtual and not in person. But, going back to Mr. Timmons and talking about scheduling, Congress needs a scheduler, because I have three committee meetings that are running concurrently this morning and trying to make it work.

So I apologize when I have to drop off, but I also have a full House Financial Services Committee meeting and a T&I subcommittee hearing on aviation, which—my district has the world's busiest airport, and this is something that I also must chime in on. So, again, Congress needs a scheduler.

But I am so glad to hear about the diverse hires in the GAO office and all that you have done to make sure that your offices are truly representative of our country and the diversity that makes up so many of our districts, because we know that our lived experiences that we bring to the table in our work makes our country so much better and so much more rich.

And so I am just wondering of some ideas and strategies that we could share with CRS. And I am thrilled to hear that you have such a high number of women working at CRS, but would love to hear more around direct strategies to increase the diversity in the office.

Ms. MAZANEC. I suspect that is my question. So——

Ms. WILLIAMS. And maybe the office of GAO can give some recommendations since they have done such a great job at diverse hires.

Ms. MAZANEC. So, right now, our staff is roughly 75 percent White and then 25 percent non-White. And, over the last—at least the last 6 years, diversity has been a top priority—another top priority for us.

I stood up a diversity and inclusion workgroup to make recommendations about how we can increase the percentage or the number of applicants to our jobs that come from diverse backgrounds.

And we also have expanded our outreach efforts so that we are reaching out to entities that represent underrepresented populations. We participated in 42 job fairs last year, many of which were held by institutions, colleges, schools that have a diverse student population.

We are also trying to guarantee that our hiring panels have diversity represented.

And so, with all of that, my hope is that we will start to see more diverse applicants in the pool. Anecdotally, the last two hiring pan-

els that I served on, I was very happy to see such a diverse applicant pool.

And then, once we are able to hire individuals, we want to also be able to retain them. So we want our workplace to be inclusive. To that end, we have, in the past year, provided four trainings to staff on topics such as allyship and microaggressions, and we also added a fifth training session for managers on conflict resolution, alternate dispute resolution.

So I would love to hear if there are other things that we could put in place in CRS to address the challenge of diversity.

Ms. WILLIAMS. Thank you.

Anyone want to give any tips on how you have been successful at increasing the diversity in your respective agencies?

Mr. DODARO. Well, I have made it a key priority of my tenure. And I have a special assistant for diversity, equity, and inclusion that reports directly to me. We have focused on trying to drive it down through the agency. My job is to set the right policies and tone but to have it operate at each level.

And I have allowed people to develop communities of practice to—for example, our African-American senior executives decided to meet on their own. I meet with them on a regular basis. They bring ideas, they bring new energy, they bring things that we have been able to implement. I have had that same experience with other groups.

I have set up a Diversity Advisory Council at GAO. We have questions in our annual employee survey where we ask people their views on our policies, whether their supervisor is committed to diversity, equity, and inclusion. And we consistently have rated over 80 percent positive response rates on that.

We have training programs. We have a diversity, equity, and inclusion strategic plan with performance measures and goals that we check.

So, you know, we employ all, sort of, good management best practices to this, but it requires a sustained commitment, and you have to set the right tone and follow through.

Ms. WILLIAMS. Thank you.

The CHAIRMAN. Mr. Joyce, and then I have Mr. Phillips, and then we will move on to the next panel. If we can have short questions and short answers. I want to keep us on track.

Mr. JOYCE of Ohio. Thank you, Chairman Kilmer.

You know, one of the things I have learned since I got here is everybody comes with great ideas on how to get things done. And, as an appropriator, Chairman Kilmer and myself, we see a lot of these programs, and then you try to fund them, and you realize when you are doing that that there is a duplication, triplication sometimes, across different agencies regarding that.

And I was just wondering how, you know, GAO, if there is a way that you could help us sort of streamline these programs and how Members can tell and make these programs achieve their outcomes but become more cost-effective in doing so.

Mr. DODARO. Yeah. Actually, I mean, we spend a tremendous amount of time doing that.

You know, one of the things that we have been doing for the last 11 years is an annual report on overlap, duplication, and frag-

mentation in the Federal Government. We have made 1,200 recommendations. About 70 percent have been fully or partially implemented. That has saved over half a trillion dollars in financial benefits. There are tens of billions of dollars additionally that could be achieved by following our other recommendations in this area.

But this is an endemic problem, not only among agencies but within some individual agencies is a problem. And so we have all kind of recommendations on this. We would be happy to brief your staff or work with you on it. But that is high on our agenda.

And a lot of our work makes things more efficient—our recommendations makes operation more efficient, even if there is an overlap or duplication or fragmentation in the agency. But it is important, also, that Congress not build in new fragmentation, overlap, and duplication in some of the new initiatives. Because what we find, the way this happens, as you say, everybody has a great idea, and sometimes what is in place isn't working effectively, so, rather than try to make it work effectively, we create a new program—

Mr. JOYCE of Ohio. Right.

Mr. DODARO [continuing]. Here, you know? And this is true of—you know, we found, like, dozens of education programs outside the Education Department. And, you know, housing programs; science, technology, engineering, and math studies—I mean, there is just a proliferation of these activities.

And, you know, on the legitimate side, there are a number of problems that require multiple agencies to be involved. And, there, you want to have good collaboration and coordination. So you can't have everything isolated; you know, you need multidisciplinary approaches. But you don't need unnecessary duplication.

Mr. JOYCE of Ohio. Thank you very much. And I will take you up on that next appropriation season.

Mr. DODARO. Sure.

Mr. JOYCE of Ohio. Thank you, Mr. Chairman.

Mr. DODARO. Happy to help, whether you are in town or not.

The CHAIRMAN. All right.

Mr. Phillips.

Mr. PHILLIPS. Thank you, Mr. Chairman.

And thank you all. I appreciate the value you add to both the Congress and the country.

But would any of you say that Congress takes advantage of your respective services, educational and otherwise, in a way that you would like to see? Do any of you feel that we really get the most out of your respective basket of services? Any of you?

Mr. DODARO. Yeah. Go ahead, Phil.

Mr. PHILLIPS. Yeah.

Mr. SWAGEL. Okay, sure.

I mean, I feel like we do. It varies by offices. You know, most of our work is for the chairs—

Mr. PHILLIPS. Of course.

Mr. SWAGEL [continuing]. Members, and leadership, and they do.

In some sense, the challenge for us is that we are working so much for them—you know, say, in healthcare, you know, the different committees in the two chambers on healthcare absorb the, you know, time so much that it is hard for us to do other things.

Even when we can't do a cost estimate for, you know, a Member who is not a chair or ranker, we provide technical assistance. And that varies. In some sense, it is probably on me and on CBO to make sure that offices know that they can come to us even if they are not the committee chair, and we are probably not going to be able to do a cost estimate, but we can do other things. And that is something I can do.

Mr. PHILLIPS. Yeah.

And I will ask you two the same question.

And do you track engagements by—do you know how many offices have—and can you give us a sense of how many offices—

Mr. SWAGEL. That is a good question. We do track.

Mr. PHILLIPS. Okay.

Mr. SWAGEL. I don't have it, you know, off the top of my head.

It varies by issue. On healthcare, there is so much across the board. On an issue like opioids, or opioid use disorder, we hear from many Members. In a sense, that is part of what we do, is try to understand the interest in Members and build up our technical capacity.

I would just mention one last thing, which is surprise billing—

Mr. PHILLIPS. Yeah.

Mr. SWAGEL [continuing]. Which we realized was an issue that was building, and so we built the technical capacity. And it was partly from our seeing what was going on in the world but also partly from hearing from Members that they wanted to know about it. And so we were ready.

Mr. PHILLIPS. I appreciate it.

Either of you two, the same question. Do you think Congress fully utilizes your services, and do you track engagement, and what does that look like?

Ms. MAZANEC. So, as I said, virtually 100 percent of offices and committees use CRS in some manner. Not everyone uses our full breadth of products and services, and part of that is because they are not aware of it. So we have to be more aggressive on outreach.

We do tailor our support to the needs of the individual Member or congressional staffer. And since there are very diverse needs, that is part of the challenge. Some people want, you know, just the high points on an issue. Other people want us to do a more deeper dive, an in-depth analysis.

Mr. PHILLIPS. Okay.

Ms. MAZANEC. And, obviously, any feedback we get from our congressional users about what we could do to better support them, we try to accommodate them. We try to create new products that are useful to them.

Mr. PHILLIPS. I appreciate it.

Mr. DODARO. Yeah. You know, we regularly provide services to 90 percent of the standing committees of the Congress and the members of those committees. We try to outreach to as many individual Member offices as we can with brown-bags.

We also provide training, sort of a GAO 101 training, for new congressional staff. We provide training for congressional staff on appropriations law and GAO's role in appropriations law.

But I have been trying for a decade to get more GAO involvement in the orientation to new Members. And if you could help me there. It is not for a lack of trying, all right? I have——

Mr. PHILLIPS. I was hoping we might get there.

Mr. DODARO. Yeah.

Mr. PHILLIPS. And that is exactly my point.

Mr. DODARO. Yeah.

Mr. PHILLIPS. You know, this is my second term, and, as I come to recognize the breadth of services that you can provide, not to mention the education for new Members, in particular when we are bright-eyed and bushy-tailed, is a tremendous opportunity.

And I just encourage our chairs to consider that as you move forward. I would have loved a little bit more deep dive during our orientation. When Democrats and Republicans digest information and education together, I am convinced we process it in a much more objective fashion.

Mr. DODARO. Yeah.

Mr. PHILLIPS. And I would strongly encourage our body to consider how to incorporate some deep dives into the issues facing the country during our orientation program.

Mr. DODARO. Yeah. And I would be more than happy to do that. I have been trying.

Mr. PHILLIPS. Well, I am going to champion it.

Mr. DODARO. I have been trying. And I think it does have the effect that you say.

And, plus, our policy is we try to encourage as much bipartisan requests for our work as possible, and a lot of our work comes in requests from committees or——

Mr. PHILLIPS. Sure.

Mr. DODARO [continuing]. Mandates from Congress, which, by definition, are bipartisan.

So those things are very important. And I think it is needed now more than ever because of the increased turnover in the Congress, not only among Members, but staff are moving around quite a bit. You know, this is my 49th year at GAO——

Mr. PHILLIPS. Wow.

Mr. DODARO [continuing]. So I have seen, you know—and it is different now than it historically has been, and so that is even more important.

Mr. PHILLIPS. Well, this is my 52nd year on Earth.

But thank you, very sincerely. And, especially in an era where there seem to be two sets of facts, increasingly, even within this institution, the more that we can bring people together under one set of facts, I strongly encourage.

And thank you all.

Mr. DODARO. I agree. Sure.

The CHAIRMAN. Great.

Mr. Davis.

Mr. DAVIS. Can you hear me? Thank you.

Sorry I am running behind. I actually wanted to get here—great to see you all here, but—Dr. Mazanec, thank you for what you do at CRS.

I am a little disappointed that we can't do an oversight hearing in House Administration to talk about some of the issues that I

think that—well, I don't set the agenda there, so I am hoping that Chairperson Lofgren will and that we can talk a little more in depth.

I am going to submit some questions for the record, because I know my colleagues want to get to the next panel, and I do too.

Mr. DAVIS. But we have some issues with jurisdictional issues. You know, many of my colleagues have brought up some complaints with some of the products that are coming in, be it timeliness, be it a possible bias, some other issues, the quality of product, that I would really like to sit down with you personally and talk about and be able to get some of these questions answered—and accountability too. Whereas, we can then achieve the same goals that I think all of us around this table want to see CRS and every staff member in each office be able to achieve.

So I won't take any more time, unless you wanted to make a comment?

Ms. MAZANEC. Well, I will be happy to follow up with you so that we can have an in-depth discussion on some of the issues you have just mentioned.

Mr. DAVIS. Well, I had a really good set of questions, but because I couldn't get here on time, Chair Kilmer is doing the right thing and not allowing me to sit and talk for 20 minutes.

So thank you for that.

And you are welcome, to everybody else.

But, Doctor, let's do that. Again, even if we could do a one-on-one at some point, I would really, truly appreciate it, as we move into this Congress and the next.

Thank you.

Ms. MAZANEC. Okay.

Mr. DAVIS. I yield back.

The CHAIRMAN. I do want to actually just—and we really have to get to the next panel, so if I can ask for just really quick responses.

One of the points that Mr. Davis mentioned, I think, is a thread that we could pull on. And some of you in your testimony—and I think, Dr. Mazanec, you mentioned that, you know, you worked with Gallup and you, you know, tried to survey how are we doing, basically.

I guess one of the things I am interested in is: Do your agencies get or have the opportunity for really real-time feedback on—you know, so I got this report. You know, I mean, there are a lot of things that I consume where I can go on Yelp or I can, you know, provide immediate feedback. You know, when I go through the airport, I clear. Before I am done, I have an email saying, "How was your experience?"

Do your agencies do something like that where, when I get a CRS report or I get a GAO report, there is an immediate opportunity as an end user to say this was helpful, this wasn't helpful, here is how it could have been more helpful? Do you already do that?

Mr. DODARO. Yeah, we—

The CHAIRMAN. GAO does?

Mr. DODARO. Yeah, we do at GAO. We don't get a high response rate back from the Congress, but we ask the question. You know,

some people say, “Well, look, we are happy. If we are not happy, we will let you know”——

The CHAIRMAN. Yeah.

Mr. DODARO [continuing]. You know? So I assume that. But we do ask——

The CHAIRMAN. Yeah.

Mr. DODARO [continuing]. Was it timely? Did it meet your needs?

And then, you know, I try to meet with chairs and ranking members of all the committees and get direct feedback, too, that way. That is not the only way we do it, but we do it on a——

The CHAIRMAN. Sure.

Mr. DODARO [continuing]. Product-by-product basis as well.

Ms. MAZANEC. So we do try to solicit feedback. Congressional attendees at our seminars are asked to fill out a form afterwards to provide us with feedback. We get a lot of feedback. It is not officially solicited. We can explore a more regular solicitation.

Part of the challenge we have is the response rate. Even with the Gallup surveys that we have done every 2 years, we get 10 percent of the people that we send the survey to to actually respond.

I would love to get more feedback from Members. I do try to meet with Members, but you have busy schedules. I can’t always get a meeting with you. I am happy to meet with your chief of staff or your LD to get feedback. Obviously, if you have an issue with a report that we have issued or a response to our request, I want to hear about it.

The CHAIRMAN. I know we have to get to the next panel, but——

Mr. SWAGEL. Yeah.

The CHAIRMAN [continuing]. If you have just a quick swing?

Mr. SWAGEL. I will be super-fast.

We do it in two ways. One is directly. You know, if somebody doesn’t like a cost estimate or has objections with it, they find us quickly. So that is one. We do surveys. We track things on our website, you know, where people are coming from. So we do a little bit.

We also work with the Budget Committees. And, you know, both sides, all four corners of the Budget Committees are extremely helpful for us, you know, sort of, flagging people who are upset or building, you know, moving toward being upset with us.

The CHAIRMAN. Terrific.

I want to thank all three of our distinguished panel members for their testimony and for joining us to share their insights. Thank you.

And, with that, let me invite up our second panel. And, while they are coming up, I am going to read their bios, just so we can stay on schedule.

We are now joined by three experts who are here to share their ideas for modernizing the products and services the legislative support agencies provide to an evolving Congress.

Witnesses are reminded that their written statements will be made part of the record.

Our first witness is Zach Graves. Mr. Graves is the head of policy at Lincoln Network. His research and advocacy focus on the intersection of technology and governance issues, including work to

strengthen science and technology expertise and capacity in Congress.

He is a member of the GAO's Polaris Council, an advisory body of leading science and technology experts. In 2018–2019, he was a technology and democracy fellow at the Harvard Ash Center.

Mr. Graves, if you are ready—are you ready?

Mr. GRAVES. All set.

The CHAIRMAN. All right. Cool. We are just rolling, because I went a little over time with that last panel.

But you are now recognized for 5 minutes.

STATEMENTS OF ZACH GRAVES, HEAD OF PUBLIC POLICY, LINCOLN NETWORK; WENDY GINSBERG, PH.D., STAFF DIRECTOR, HOUSE COMMITTEE ON OVERSIGHT AND REFORM; AND PHILIP G. JOYCE, PH.D., PROFESSOR AND SENIOR ASSOCIATE DEAN, UNIVERSITY OF MARYLAND SCHOOL OF PUBLIC POLICY

STATEMENT OF ZACH GRAVES

Mr. GRAVES. All right. Thank you.

Chair Kilmer, Vice Chair Timmons, and members of the committee, thank you for having me here to testify.

My name is Zach Graves. I am head of policy at the Lincoln Network. We are a right-of-center organization working to advance innovation, governance, and national security and work to bridge the gap between Silicon Valley and D.C.

This year marks the 100th anniversary of the nonpartisan Government Accountability Office. Over its history, GAO has provided essential oversight, insight, and foresight to Congress, supporting its legislative and oversight functions.

This work has a direct and tangible benefit to taxpayers. Over the past 20 years, GAO's work has resulted in more than \$1.1 trillion in savings. GAO's return on investment has consistently exceeded over \$100 for each dollar of its budget.

Despite its impressive record, however, GAO's tools and resources have not kept up with demand. Even as Federal spending and the national debt have massively increased, GAO's staffing level is 37 percent smaller than it was three decades ago.

Over its 100-year history, GAO's mission, authorities, workforce, and strategic focus have evolved significantly. The agency was established as the General Accounting Office in the Budget and Accounting Act of 1921, moving this function out of the Treasury. Coming out of the New Deal and heading into World War II, growing Federal programs placed significant new demands on GAO, and it expanded to nearly 15,000 staff.

The next few decades saw GAO move away from its green-eye-shade era of accounting-focused work towards program evaluation and a more professionalized workforce. By the late 1960s, GAO was recruiting more staff trained in non-accounting fields, including science and technology in particular.

With the backdrop of an unpopular war in Vietnam and the aftermath of Watergate, this period also saw Congress reassert itself. This included major reforms in the Legislative Reorganization Act of 1970; increased staffing resources; the creation of the

Congressional Budget Office, which testified earlier; and the Office of Technology Assessment, or OTA. These reforms helped rebalance Congress's information asymmetry with the executive branch and allowed it to reassert itself.

Coming out of the Cold War and heading into the 1990s, the pendulum swung back away from Article I. Congress downsized GAO and enacted across-the-board cuts to the legislative branch, particularly in the 104th Congress. This included reductions for committees and support agencies and the elimination of OTA. The GAO emerged out of this period that was perhaps more lean and responsive but also significantly more risk-averse.

Science and technology in GAO: Since OTA was defunded, there have been numerous efforts to reestablish its function. This led to the creation of a technology assessment pilot in GAO in fiscal year 2002. While it had some initial success and was praised by outside reviewers, it did languish in relative obscurity for nearly two decades.

In January 2019, GAO elevated this program to become the STAA, or Science, Technology Assessment, and Analytics, team. With the support of the current Comptroller General, STAA has doubled its staff, refined its TA methodology, produced numerous spotlights, technology assessments, and other kinds of analysis. And its innovation lab has worked to develop innovative new approaches to program evaluation and oversight.

A congressionally directed report by the National Academy of Public Administration endorsed STAA but echoed longstanding concerns about the suitability of GAO's culture and bureaucracy for S&T work and particularly for technology assessments, highlighting that there are some major challenges remaining to its governance.

In my written testimony, I list actionable recommendations to improve STAA's governance, including adopting some of OTA's structural features, like an advisory version of its Governing Technology Assessment Board, mirroring the relationship that CRS has with the Library of Congress, and having an appropriations line item and congressional budget justification.

Importantly, these are ultimately still under the Comptroller General's authority and not an independent office. Providing additional bureaucratic separation is also something that can be done as a spectrum and not an either/or.

Nor is this an original idea. In 2004 and 2005, Rush Holt and Amo Houghton advanced a bipartisan proposal called the CSTA that would create an OTA-like office in GAO, and it went through several rounds of vetting by then-Comptroller General David Walker as well as S&T experts. And there are several iterations of this draft with commentary that I am happy to provide.

I also list a number of low-hanging-fruit improvements to enhance STAA, including giving it an office in the Capitol, a separate website and internet portal, and to have it self-initiate more reports under the CG's authority rather than to react to issues on request, which can take a year or more to complete and often are out of touch and not appropriately, you know, doing horizon-scanning and the important, sort of, foresight work that is key to science and technology issues.

I also offer recommendations to strengthen GAO writ large, including estimating potential savings from unimplemented recommendations, which was something that was discussed at the earlier panel; addressing internal IT challenges; increasing funding for the agency; and adjusting its funding model to be a share of Federal discretionary spending so it is not constrained by the particular political environment of the legislative branch's 302(b) sub-allocation. I also propose a series of reauthorization hearings to address the full range of GAO reforms, many of which I was not able to get to in my testimony.

Throughout its history, GAO has shown it can adapt and restructure to meet new challenges. It has gone through several iterations in the past. With new tools such as machine learning, cloud-based data analytics, and others, GAO has a monumental opportunity to modernize for the next century and advance a vision to transform Congress's ability to understand and oversee Federal programs in real-time.

Yet I fear the low salience of these issues, insufficient resourcing, and institutional bias towards the status quo risks depriving GAO of significant opportunities to stay relevant and maximize future taxpayer savings. As we move into the future, we must consider that risk-aversion in this domain is, itself, a massive risk.

I look forward to the important work of this committee in helping address these challenges, and I thank you for the opportunity to testify.

**Written Testimony of Zach Graves, Head of Policy, Lincoln Network
Before the Select Committee on the Modernization of Congress
September 28, 2021**

Chair Kilmer, Vice Chair Timmons, and members of the Committee:

Thank you for the opportunity to testify. This year marks the 100th anniversary of the nonpartisan Government Accountability Office. Over its history, GAO has provided critical support to Congress through its audits, legal opinions, program evaluations, technology assessments, and other activities. Despite the tremendous taxpayer benefits provided by GAO, the agency's capabilities have been unable to keep pace with the growth of federal government programs and expenditures. Additionally, while it has made progress in some areas, it has not fully embraced opportunities for modernization and innovation.

GAO's work provides essential "oversight, insight, and foresight" that supports Congress's legislative and oversight functions. For instance, GAO experts are routinely called to testify at hearings or to serve as detailees on committees, and its recommendations routinely shape agency actions and inspire legislation.

GAO provides a direct and tangible value for taxpayers. Over the past two decades, GAO's work resulted in more than \$1.1 trillion in savings, as well as over 25,000 other government improvements. For more than a decade, GAO's return-on-investment has exceeded \$100 in financial benefits for each dollar of its budget. Despite this impressive record, GAO's authorities, tools, and staffing capacity have not kept pace with the massive growth of the executive branch.

GAO and Congress could do more to ensure that its nonpartisan recommendations are implemented in a timely manner to yield billions in additional taxpayer savings and yield greater government efficiencies. Moreover, GAO's growing science and technology capabilities can close longstanding gaps in congressional

expertise and ensure that the legislative branch can effectively carry out its constitutional responsibilities.

In the next section, I will evaluate how GAO's role has evolved over time. Subsequently, I will discuss GAO's technology assessment capabilities and assumption of OTA's mission. I will then make specific recommendations about improving GAO's science and technology capabilities, followed by additional recommendations about improving GAO writ large. Importantly, these recommendations should not be taken as a comprehensive list of potential GAO reforms.¹

HOW GAO'S ROLE HAS EVOLVED

Over its hundred-year history, GAO's mission, authorities, and strategic focus have evolved significantly. The nation's top watchdog was established as the "General Accounting Office" in the Budget and Accounting Act of 1921.² This legislation, signed into law by President Warren G. Harding, moved the office of the comptroller and its auditors (along with their powers and duties) out of the U.S. Treasury Department.³

Coming out of the New Deal era and heading into World War II, growing federal programs and expenditures placed significant new demands on GAO. By the end of the war, GAO had grown to nearly 15,000 staff. Recognizing it would have to take a new approach, the next few decades saw GAO move away from its "green eyeshade" era of accounting-focused work and towards program evaluation. This meant shifting its workforce strategy from low-level accounting clerks to

¹ There are a number of important issues facing GAO that are not addressed here, such as tensions between GAO and the executive branch, government contracting, etc.

² The "General Accounting Office" became the "Government Accountability Office" in 2004, reflecting its broader mission and strategic focus on program evaluation and foresight.

³ While it was structured to be independent of the executive branch, it wasn't until several decades later, in the 1940s, that the agency would be codified as part of the legislative branch.

specialized professionals.⁴ By the late 1960s, GAO began recruiting more individuals trained in non-accounting fields, including economics, science, and technology.

With the backdrop of an unpopular war in Vietnam and the aftermath of the Watergate scandal, this period also saw Congress reassert its Article I powers. This included advancing reforms such as the Legislative Reorganization Act of 1970, increased funding for staff capacity, and the creation of two new congressional agencies: the Congressional Budget Office and the Office of Technology Assessment (OTA). These reforms, and new agencies, were meant to help rebalance Congress's information asymmetry with the executive branch.

Coming out of the Cold War denouement and heading into the 1990s, Congress downsized GAO. This followed direct criticism of the agency as well as across-the-board cuts to congressional funding as part of the "Contract with America" that propelled Republicans to take the House of Representatives in 1995. This new majority slashed resources for committees and support agencies, and eliminated OTA's funding. Today, GAO's staff remains 37 percent smaller than it was in 1990.⁵

SCIENCE & TECHNOLOGY ASSESSMENT AT GAO

Since Congress defunded OTA in 1995, Members of Congress have undertaken numerous efforts to reestablish its function.⁶ These include an early attempt to relocate it to CRS (opposed by then Librarian of Congress James Billington), a bipartisan proposal by Reps. Rush Holt and Amo Houghton to build it as an

⁴ Jonathan Walters and Charles Thompson, "The Transformation of the Government Accountability Office: Using Human Capital to Drive Change," IBM Center for the Business of Government, July 2005.

⁵ See: <https://www.whitehouse.gov/omb/historical-tables/>.

⁶ See: "[Legislative History of Technology Assessment in the US](#)," Future Congress.

independent office in GAO,⁷ and various other proposals to change its authorizing statute.

Among congressional support agencies, GAO was clearly the closest match for housing OTA's mission. Both agencies had a lot in common. They each produced rigorous multi-disciplinary analytic products that could take a year or more to complete, they both primarily served committees (particularly following GAO's formalization of its congressional protocols),⁸ and had overlap between the kinds of reports they would do. In hearings leading up to OTA's creation in the late 1960s, Congress even considered building it within GAO from the start.⁹ In this context, GAO was an obvious vehicle for proponents of bringing back OTA.

Congress directed the establishment of a technology assessment pilot inside GAO in 2001. It was made permanent in 2008. In January 2019, following Senate appropriations report language, GAO elevated this program and established the Science, Technology Assessment, and Analytics (STAA) mission team. Over the past few years, STAA has grown from 49 FTE to over 100. STAA's work has also extended beyond the scope of OTA's mission, including developing innovative new approaches to oversight—such as real-time auditing—through its Innovation Lab. The ongoing support of Comptroller General Gene Dodaro has played a key role in this expansion.

RECOMMENDATIONS TO STRENGTHEN SCIENCE & TECHNOLOGY AT GAO

In late 2019, a congressionally-directed report by the National Academy of Public Administration recommended that STAA be the primary vehicle for assuming OTA's mission, and that it be given additional resources to develop its capabilities. The NAPA report also echoed long-standing concerns about STAA's ability to

⁷ See: <https://www.congress.gov/bill/108th-congress/house-bill/4670>.

⁸ See: <https://www.gao.gov/products/gao-17-767g>.

⁹ See: <http://archive.gao.gov/t2pbat19/134346.pdf>.

navigate the culture and bureaucracy of its parent agency.¹⁰ This highlights that there are still major challenges facing STAA. These include defining its own culture within GAO's bureaucracy, building its reputation in the broader S&T community, and building relationships in Congress with key offices and committees.

Absent a restoration of OTA, STAA can also be made more OTA-like. This would also address its critics, recognizing that its unique S&T foresight mission requires a different approach than other GAO mission teams.

In support of expanding STAA's programmatic role, I recommend the following reforms:

- **Give STAA greater research independence by mirroring the relationship between CRS and the Library of Congress:**¹¹ Several experts have noted that a key challenge for GAO's technology assessment team will be overcoming the cultural and bureaucratic hurdles of its parent agency. The statutory relationship between the Library of Congress and the Congressional Research Service offers one solution to this problem, providing a measure of programmatic independence without unnecessarily duplicating administrative functions.
- **Give STAA greater administrative independence by clarifying its authorities:** STAA should be provided with clear authorities to do its own hiring and acquisitions¹² and with maximum practicable independence from other teams within GAO. While GAO's careful and risk-averse culture may be appropriately calibrated for an audit-focused organization, they are

¹⁰ See:

<https://napawash.org/academy-studies/science-and-technology-policy-assessment-for-the-us-congress>.

¹¹ See: 2 U.S.C. § 166 (b)(2).

¹² Such as for information technology and contract services.

not conducive to a nimble science and technology office or the Innovation Lab's IT needs.

- **Give STAA an appropriations line item:** Because STAA's mission and needs are significantly different from the audit-oriented work of its parent organization, it is important for Congress to have a more granular viewpoint into those functions. Similar to CRS and the Library of Congress, STAA could be given a separate appropriations line item within the GAO budget, as well as be expected to provide to appropriators a separate congressional budget justification, where it would explain how it intends to spend appropriated funds it has requested. This would have the benefit of giving Congress increased visibility into STAA's operational development, and make STAA more OTA-like.¹³
- **Establish a Congressional Technology Assessment Board:** Modeling on OTA's Technology Assessment Board (TAB), STAA should establish a bipartisan, bicameral advisory board to establish closer relations with Congress and to provide guidance on incoming congressional requests on science and technology. The board could include Senators and Representatives from key committees (or their designees), and the CRS director and head of the National Academies as non-voting members.¹⁴ Unlike OTA's TAB, a GAO-affiliated board should be advisory in nature.
- **Create a Chief S&T Advisor to Congress:** Congress should create a new Senate-confirmed position in GAO to oversee STAA and interface with Members of Congress on S&T matters. This role could also expand STAA's

¹³ Some critics may argue a line item would make it more likely for STAA to share the fate of the former OTA. But, in practice, appropriators have numerous options to cut discretionary programs.

¹⁴ This might include the House and Senate Appropriations committees; the Senate Committee on Commerce, Science, and Transportation; the House Committee on Science, Space, and Technology; the House Committee on Energy and Commerce; et al.

horizon-scanning capacity, coordinate different S&T resources for Congress, and find new strategies to promote absorptive capacity.

The following programmatic recommendations offer modest improvements to enhance STAA's effectiveness:

- **Give STAA an office in the Capitol:** Communications and congressional engagement are key challenges for STAA. Establishing an office in the Capitol Building will make it easier for STAA to engage directly with Members and their staff, and provide services such as briefings and consultations.
- **Give STAA its own website:** To help address its communications challenges, GAO should create a separate website for technology assessments and S&T spotlights, and also expand content for the Innovation Lab's gaoinnovations.gov. GAO should also coordinate the creation of an enhanced S&T resources portal on each chamber's intranet, coordinating with CRS, the National Academies, and other relevant entities.
- **Coordinate congressional S&T briefings:** STAA should lead efforts, in coordination with CRS and the National Academies, to coordinate regular briefings for Members of Congress and their staff on emerging science and technology issues. This could also include training workshops at the beginning of each Congress.
- **Encourage GAO to self-initiate more technology assessments:** GAO has the ability to undertake work not directly tied to congressional requests through the Comptroller General's authority (CGA). Given the need for horizon scanning—to anticipate and study emerging issues before they are active policy debates—STAA should incorporate into its strategy a larger share of CGA-initiated reports, working with experts on its advisory board

(of which I'm a member) or the National Academies. Like CRS's periodic report updates, STAA should consider continuously updating technology assessments on major S&T issues (e.g. artificial intelligence).

- **Undertake a Participatory Technology Assessment Pilot:** STAA should undertake a participatory technology assessment pilot, which would incorporate citizen-participation methods developed in Europe.¹⁵ Such a model could provide unique and valuable insights to Members of Congress about their constituents' views on emerging technology issues.

ADDITIONAL RECOMMENDATIONS TO STRENGTHEN GAO

The following are ways that Congress could increase and leverage GAO's positive contribution to the oversight and the legislative process:

- **Fully-fund GAO to maximize its return on investment:** Based on the agency's recent ROI estimates, additional funding for GAO could yield as much as \$100 in savings for each additional dollar appropriated, while giving the agency flexibility to make new investments in information technology and its Innovation Lab, which has the potential to modernize government oversight and significantly improve federal agency operations. Consideration should be given to restoring GAO's funding as a percentage of the federal budget to its levels prior to the cuts in the mid-1990s (a substantial increase), also shifting its costs from the legislative branch budget (which is consistently resource-constrained) to a share of overall federal discretionary spending.
- **GAO should better prioritize its own IT infrastructure:** In its self-reported measure of internal operations for 2020, GAO reports only 69

¹⁵ See:

<https://ecastnetwork.org/research/reinventing-technology-assessment-for-the-21st-century/>.

percent staff satisfaction with its “IT Tools,” despite rolling out a range of new tools. Other projects, such as the struggling web publishing program, New Blue,¹⁶ suggest broader challenges with implementing IT modernization. We applaud GAO for recognizing this problem and suggest the committee support GAO improving how it provides its staff with modern tools, and cutting through red tape to advance innovative technical solutions.

- **Congress should require the Comptroller General to provide annual estimates of the cost to the government of recommendations that is has recommended but agencies have yet to implement:** As of September 20th,¹⁷ GAO had more than 4,600 open recommendations including nearly 500 “priority recommendations” which GAO states “warrant priority attention from head of key departments or agencies because their implementation could save large amounts of money” or yield other significant nonfinancial benefits.¹⁸ Congress could use this information to inform its legislative and oversight work to improve agencies' performance.
- **Congress should require GAO to set deadlines for its recommendations and publicly track agencies' progress implementing these recommendations.** This would inform Congressional oversight and hold agencies accountable to the public for government improvements. As of 2020, GAO reported that 77 percent of its recommendations are implemented within four years, but only half are implemented after two.¹⁹
- **Congress could require GAO to provide legislative options to each congressional committee to address priority open recommendations**

¹⁶ See: <https://www.gao.gov/products/oig-21-1>.

¹⁷ See: <https://www.gao.gov/reports-testimonies/recommendations-database>.

¹⁸ See: <https://www.gao.gov/products/gao-21-591pr>.

¹⁹ See: <https://www2.deloitte.com/us/en/insights/topics/analytics/text-analytics-and-gao-reports.html>.

and related work from its high-risk areas to jumpstart bipartisan legislative activity based on nonpartisan oversight: GAO's

recommendations often provide a bipartisan starting point for legislative reform that both political parties can support. Requiring GAO to present legislative options annually to each congressional committee for addressing priority open recommendations or high-risk areas could jumpstart bipartisan legislative efforts to address the nation's most pressing challenges.

CONCLUSION

Over its hundred-year history, GAO has been a critical institution for policy formation and oversight within the federal government, eliminating wasteful inefficiencies, and driving significant value for taxpayers. With the availability of new technology tools such as machine learning, cloud software, and access to machine-readable government data, GAO has a monumental opportunity to modernize for the next century, and advance a vision to systematically transform Congress's ability to understand and oversee federal programs in real time.

Over its history, GAO has shown that it can embrace change and reorient itself to new challenges. Presently, GAO's bias towards the status quo risks depriving it of significant opportunities to stay relevant and maximize future taxpayer savings. Foundationally, as we move into the future, we must recognize that risk aversion in this domain is itself a massive risk.

These are complex and difficult questions with many nuances. I look forward to the important work of this committee in helping address them, and I thank you for the opportunity to testify.

The CHAIRMAN. Thank you, Mr. Graves.

And I encourage folks to look at the written testimony too.

I appreciated you had a number of recommendations you thought this committee should pursue. And I know we weren't able to get to it in your verbal remarks, but I really appreciate it.

Our next witness is Dr. Wendy Ginsberg. Dr. Ginsberg is the staff director on the Government Operations Subcommittee of the House Committee on Oversight and Reform. Prior to joining the committee, she was a senior program manager at the Partnership for Public Service, and, from 2007 to 2017, she served as an analyst at the Congressional Research Service.

Members are reminded that Dr. Ginsberg's testimony today represents her own personal thoughts and not those of this subcommittee or the chairman.

Neither her testimony nor her responses to any questions will touch on any specific matter the Oversight Committee has investigated, the Oversight Committee's investigative practices, nor any specific matter that she worked on as an analyst at CRS. She will be limited to providing observations and recommendations to improve the services of CRS and the other agencies that support congressional staff.

Dr. Ginsberg, you are now recognized for 5 minutes.

STATEMENT OF WENDY GINSBERG, PH.D.

Ms. GINSBERG. Thank you for that, and thanks for that preamble. Thank you, Chairman Kilmer, Vice Chair Timmons, and other members of the select committee, for inviting me here to testify on ways to improve Congress's service agencies.

Thank you to each of the witnesses from our first panel.

Honestly, we couldn't perform our constitutional duties without them and the hard work of the people in their agencies.

I have been asked to testify today because of my unique perspective on the Congressional Research Service. I proudly served as a nonpartisan analyst for nearly a decade. Today, I am a user of CRS's services, as the staff director of the Committee on Oversight and Reform's Subcommittee on Government Operations.

I proudly serve Chairman Gerald E. Connolly and this Nation by conducting oversight of the appropriations of the entirety of our Federal Government as well as State and local governments. With a jurisdiction so vast, I rely on CRS, the Government Accountability Office, and the Congressional Budget Office to help me perform the almost insurmountable oversight needed to ensure our government runs smoothly and effectively.

My testimony today represents my own personal thoughts and, like Chairman Kilmer said, not the thoughts of the subcommittee, the chairman, the full committee, or the chairwoman.

I will make three main points about how the Congressional Research Service could take straightforward steps to modernize and dramatically improve its services to Congress. These comments are laid out in greater detail in my written testimony.

One, CRS must revamp its product line and how its products are distributed to Members, congressional staff, and the public. Two, CRS must transform its culture to one that is focused on customer

service. And, three, CRS must refocus its efforts on accomplishing its core mission.

Thirty-, 40-, or even 75-page reports will not be read by most congressional staff. I agree, there are a couple who will read them all, but most of them won't read them. These reports are daunting and, frankly, can confuse staff more than help them. CRS must generate products that combine legal and policy analysis and not make us go to several sites to figure out the policies that we need to know about a single subject.

And did you know that CRS has podcasts? I know that Dr. Mazanec said that on the earlier panel, but you can't find them on the website, and there has only been one made this year—one—in February.

Most of the videos on the website are more than an hour long—too long to be of use to Congress and staff. The CRS search engine puts outdated reports at the top of its results page. And I can't even try to search for a product on the site from my iPhone. As a former CRS analyst, it pains me that the great CRS research done by my former colleagues is not more easily located by decision-makers.

Why is CRS not generating newsletters targeted to each committee and subcommittee with products that are likely of relevance to them?

Why is CRS not asking for Member and staff feedback on their products and services? There is not a "feedback" button on the website.

Moreover, CRS could allow its staff to serve details in personal offices and on committees, providing CRS experts the opportunity to understand which products work for us and how to more effectively provide authoritative information in a timely fashion.

My second point: CRS must evolve its culture to one focused on customer service.

CRS's mission is to serve Congress, yet when we call CRS analysts and attorneys, we are sometimes told that our research question is the wrong one or that it can't be answered. I have been told that my request is not a priority for CRS. I have had to contact analysts and attorneys several times to track down outstanding requests. On another request, I was told that my request was, quote, "too 'in the weeds' for consideration." CRS is designed for these weeds.

There are a few simple ways CRS leadership could take critical steps toward better customer service.

First, CRS analysts and attorneys should simply take the initiative to place an electronic calendar hold on staff calendars for consultation appointments. Even that is so helpful to me.

Next, CRS should consider incorporating customer-service metrics into performance reviews. It shouldn't be the whole review; we shouldn't be reviewed by a panel of the many. But it should be a component of how you are assessed as a CRS analyst.

Third, CRS must do better in helping its staff adapt to new on-line platforms used by the House and Senate. CRS needs to get technology right.

Finally, analysts and attorneys must connect Members and staff directly with the expert or experts they need and not send us on

a goose chase to collect and find the right people to help us answer our questions.

These actions would help defeat a culture of “this is not my issue” that currently permeates CRS.

My final point: CRS must refocus its efforts on accomplishing its core mission. CRS, at times, has allowed its staff to stray from its mission to serve Congress or allowed that mission to atrophy.

CRS should be anticipating the needs of Congress. Yet, in many cases, reports on pertinent legislative and oversight issues are released days after the relevant hearing. CRS must observe and follow the rhythms of congressional needs and prioritize their research and analysis accordingly.

Additionally, CRS must encourage its staff to engage in the academic and policy debates in public forums at academic conferences.

CRS attorneys and analysts either prevented from or uninterested in evolving cannot provide Members and staff the highest quality of research, analysis, and information that is required by the agency’s mission.

I end my testimony by reiterating my high regard for all of the support agencies, particularly CRS. I want them to be the most effective they can be to help Congress serve this Nation. Without them, we repeat errors, we miss nuances, we would simply be too overwhelmed to function. We must evolve and improve together, leveraging technologies and refocusing resources to pack the most punch for this Nation.

I look forward to the conversation today. Thank you for inviting me to testify.

Testimony before the Select Committee on the Modernization of Congress

United States House of Representatives
 “Modernizing the Congressional Support Agencies to Meet the Needs of an
 Evolving Congress”
 Wendy Ginsberg, Ph.D.
 Staff Director, Subcommittee on Government Operations
 House Committee on Oversight and Reform
 September 28, 2021

Thank you, Chairman Kilmer, Vice Chair Timmons, and other Members of this Select Committee for inviting me here to testify today on ways to improve Congress’s service agencies. I want to start by saying thank you to each of the witnesses from our first panel. We could not perform our constitutional duties without the hard work of your staffs.

I understand that I have been asked to testify today because of my unique perspective on the Congressional Research Service (CRS). I proudly served Congress as a nonpartisan CRS analyst for nearly a decade, working on issues related to how the executive branch of government operates. It was my first position after graduate school, and frankly, it was my dream career. I aspired to work at an organization where I could research and analyze social science data and evidence and share it with decision makers and elected officials to assist policymaking.

Today, I’m a user of CRS’s services, as the Staff Director of the Committee on Oversight and Reform’s Subcommittee on Government Operations. I proudly serve Chairman Gerald E. Connolly and this nation by conducting oversight of the operations of the entirety of our federal government — as well as state and local governments. An incredibly talented people directly reports to me. But with a jurisdiction so vast and limited staff, I rely on CRS, the Government Accountability Office (GAO), and the Congressional Budget Office to help me perform the almost insurmountable oversight needed to ensure our government runs smoothly and effectively.

My testimony today represents my own personal thoughts and not those of the Subcommittee, the Full Oversight and Reform Committee, Chairman Connolly, or the Members of the Committee. As was discussed with the Select Committee staff prior to this hearing, neither my testimony nor my responses to any questions will touch on any specific matter the Oversight Committee has investigated, the Oversight Committee’s investigative practices, nor any specific matter that I worked on as an analyst at CRS. Instead, I will be limited to providing observations and recommendations to improve the services of CRS and the other agencies that support congressional staff.

I will make three main points about how I believe CRS could take straightforward steps to modernize and dramatically improve its service to Congress.

1. CRS must revamp its product line and how its products are distributed to Members, congressional staff, and the public;

2. CRS must transform its culture to one that is focused on customer service; and
3. CRS must refocus its efforts on accomplishing its core mission.

First, CRS must revamp its product line and how its products are distributed.

The quintessential CRS products are its long-form reports. When I served as an intern on the Hill, I remember taking as many paper copies as possible from the basement distribution room of the Library of Congress before widespread use of the internet to disseminate and access reports. But times have changed and so have the demands on staff and the technologies available to send and receive information.

Thirty, forty, seventy-five page reports will not be read by most congressional staff. This statement is worth repeating — they *will not be read* by most congressional staff. These reports are daunting and can confuse many staff more than help them. More recent innovations like the shorter legal briefs and policy analysis products are more helpful, but they often fail to speak to one another. Why should a staffer have to go to three, four, or five unique products to cobble together the information they need? CRS should be able to produce a single product that combines legal and policy analysis clearly and concisely. I know that CRS has the expertise among its staff to do this and do it well.

Also, did you know that CRS has podcasts? I didn't. And when I found out about them, I went searching on the website for them. They're impossible to find. But they apparently exist. Why isn't CRS distributing these podcasts, which are not confidential products, on the popular channels where a listener typically finds them? Why don't congressional staff know that these podcasts exist?

Most of the videos on the website are more than an hour long. You do not have to be a TikTok user to know that more than 10 minutes is too long to hold the audience. As any staffer will attest, anything longer than five minutes is rarely useful to staff who fight to find time to eat lunch. Videos should be short, educational, and engaging.

The CRS search engine often populates a seven-year-old, stale product at the top of my search when there is a brand new, more relevant product tucked at the bottom of the search response. And, if I attempted to perform a CRS search of products on my iPhone, there is a reasonable chance my phone would laugh at me. Nonetheless, this is not a laughing matter. Most of the day, I am on the move, and I need to rely upon my mobile device to find information.

Every Monday morning, I pull together an update for my team of their anticipated responsibilities for the week. The memo includes available training opportunities and new reports of relevance to our Subcommittee's work and jurisdiction. Each week, I comb through GAO reports, CRS reports, and other relevant trade publications to find information that can help us improve our work for the American people. And every week, I slog through at least four separate CRS landing pages to find relevant products that are not available in a single location. As a former CRS analyst, it pains me that CRS research is not more easily located by decision makers.

I wonder each week why CRS is not generating newsletters targeted to each Committee and Subcommittee with new products that are likely of relevance to them? Why is CRS just posting and praying that Congress will notice their work? The biggest news outlets and think tanks in town provide targeted newsletter services on a daily basis. Why isn't CRS following their lead? Or even better, finding new, innovative ways to share knowledge with Congress.

CRS can and must do a better job of meeting Members of Congress and their staff where they are. That means creating products for interns, for staff assistants, for legislative directors, chiefs of staff, professional staff, and staff directors. There are 535 different bosses who expect something unique from CRS. It's a difficult order. But with more than 500 people on staff, this mission can be accomplished. CRS must take care to create products for Members and staff at every point of their congressional journey — from intern through long-time staff director. The products must speak directly to the needs of each of these clients. The way to make that possible is to consistently ask them what they need. GAO constantly surveys staff for feedback. I think the only time that I have been asked for feedback related to CRS was when the House Administration Committee contacted me. Why is CRS waiting for its oversight Committee to do its client engagement work? It is missing critical opportunities to learn how to better serve Congress and the people it represents.

Moreover, CRS could again take a page from GAO and allow its staff to serve details in personal offices and on committees. Serving in an office or on a Committee would give CRS analysts first-person experience as a Hill staffer. Then these experts would better understand which products work for us and how to more effectively provide authoritative information in a timely fashion to meet the needs of Congress.

CRS must take steps to think about the users of their products, employing user-centered design strategies. CRS leadership needs to put themselves in our shoes. Such practices are not evident in their current web design, in their product creation, nor in their willingness to allow staff to detail to the Hill. To stay relevant, however, CRS must adapt. With the public dissemination of many of their products now permissible, CRS must use distribution channels much more effectively to remain relevant. And it must employ practices that help them better understand the needs of Congress and other decision makers.

Second, CRS must evolve its culture to one focused on customer service

It is an honor to serve at CRS. You are offered incomparable access to our nation's most prolific policymakers. This opportunity should be met with both humility and drive. In so many cases, however, CRS staff are not trained how to effectively engage congressional customers. CRS's mission is to serve Congress, yet when we call CRS analysts and attorneys, we are sometimes told that our research question is the wrong one, or that it cannot be answered.

I have had occasions when a response to my request resulted in 14 separate emails that were screen shots of a database result. I was uncertain how to engage the material and too frustrated to re-engage the specialist who sent the emails. On other occasions, I have been told that my request is not a priority for CRS.

Other times I have requested confidential memoranda and been asked instead to accept a verbal briefing — knowing those are less work and less aggravation because they do not require going through the sometimes Byzantine formal review process. I have had to contact analysts and attorneys several times to track down outstanding requests, seeking updates on why they are delayed. In one such recent case, CRS had an existing report that directly answered the question I asked, but none of the analysts to which I was referred knew of the report — and it was a month before I was sent the year-old product. On another request, I was told that my request was too “in the weeds” for consideration. CRS is designed to help Congress with the weeds.

I admit, my requests can be complicated and difficult to answer. But those are the places in policymaking where CRS should be of greatest help to Congress. The questions that keep congressional staff up at night are the ones CRS analysts should strive to research and answer. Often, however, I find that Members and staff must convince CRS to go on the policymaking journey. It should not be a staffer’s job to sell CRS on providing assistance.

There are a few simple ways CRS leadership could take critical steps toward better customer service. And these small steps might start the more difficult revolution toward a new customer-focused culture.

First, CRS should consider incorporating customer service metrics into performance reviews. I know this idea would need to be negotiated with the union. And I encourage those conversations, including a conversation about training current and new staff on how to engage clients more effectively. After an interaction with a CRS analyst, a congressional staffer should receive a voluntary follow-up survey asking them questions about the quality and value of the service they received. Also, in addition to keeping metrics on how often a particular report is accessed by Members and staff, CRS should be following up with clients to ask what was helpful in the report or how the analyst or attorney might improve it.

Next, CRS analysts and attorneys should take the initiative to place an electronic calendar hold on staff calendars for consultation appointments. Simply taking that responsibility off congressional staffers’ plates is an incredible help to staff.

Third, CRS must do better in helping its staff adapt to new online platforms. Virtual briefings and remote work are the future of federal work. And CRS was well behind the curve in adopting virtual platforms. Analysts and attorneys often struggle to access our conversations. Even when this pandemic is in our nation’s rear-view mirror, virtual briefings are here to stay. CRS analysts cannot fall back on excuses about an inability to use new communication platforms. Instead, it must be proactive and train its staff constantly on the technologies most used by the House and Senate. CRS needs to get technology right.

Finally, another simple fix is for analysts and attorneys to be trained in connecting Members and staff directly with the expert and or experts they need. Oftentimes, staff will call a CRS analyst directly — as we are encouraged to do — only to discover that our question requires the expertise of a different CRS employee or a group of CRS experts. We are often then sent on a goose chase, trying to track down the appropriate team of experts who can help us research answers. Building the correct coalition of CRS experts should be a primary responsibility of

CRS managers and staff — not staffers. But there is currently a culture of “this is not my issue” across CRS that forces congressional staff to track down the expertise they need.

Third, CRS must refocus its efforts on accomplishing its core mission

CRS has one of the greatest missions in government:

To serve Congress with the highest quality of research, analysis, information, and confidential consultation to support the exercise of its legislative, representational, and oversight duties in its role as a coequal branch of government.

CRS, at times, allows its focus to stray or atrophy. In one example, I asked CRS for assistance only to be told that the individual with the appropriate expertise would be unavailable for a significant time to develop a Federal Law Update — a course on what has changed in federal law that provides attorneys on the Hill credit to maintain their credentials. While the Federal Law Update is a popular CRS offering, it is not the core mission. Responding to Member and staff requests, on the other hand, is central to CRS’s mission. I waited more than six months for a response to that request. I received the answer well after it was helpful. Timeliness is critical, and sometimes CRS forgets that component of their mission.

This case is not uncommon. CRS should be anticipating the needs of Congress. Yet, in many cases, reports on pertinent legislative and oversight issues are released days after the relevant hearing. CRS must observe and follow the rhythms of congressional needs — and prioritize their research and analysis in ways that meet those needs. Such a change in CRS culture will require leadership buy in and support from managers.

Additionally, CRS must encourage its staff to engage in the academic and policy debates outside of its own corridors by incentivizing analysts and attorneys to participate in public forums and by attending academic conferences. Publishing within an expert’s field of study, in peer-reviewed journals, should be encouraged and supported. Without these moments to look up, refresh, and catch up on the latest research, the work of CRS becomes repetitive and stale. Congressional staff may often call an analyst with a policy idea only to be told it is not a good idea because it was attempted three decades ago and did not work. But the CRS analyst frequently fails to factor in changes to the social context, the political environment, or even the rules of Congress. Ideas unsuccessful in one moment can win the day easily in another. CRS attorneys and analysts either prevented from or uninterested in evolving, however, cannot provide Members and staff the “highest quality” of research, analysis, and information — as is required by the agency’s mission.

Finally, I cannot emphasize enough that for CRS to accomplish its core mission, staff at all levels must reflect the diversity of our nation. This means that CRS must utilize diverse hiring panels and recruit from diverse talent pools. Just as importantly, CRS must provide all employees with equal and fair opportunities for advancement within the organization. No employee should be made to feel as though they need to leave CRS because they have risen as far as they could within in the organization as a person of color or as a woman. That this circumstance continues

to occur is a disservice both to CRS employees and the Members and congressional staff who rely on CRS to help solve issues for the American people.

Similarly, departing employees who provide feedback on diversity and inclusion in their exit interviews should not be dismissed as merely making excuses for supposed underperformance. CRS management must look inward and ask themselves if women and employees of color are placed in positions where they can thrive within the organization. They should consider whether CRS's decisionmakers take seriously the current initiatives aimed at improving diversity and inclusion, or if they are just in place to check a box.

I want to restate my high regard for all the congressional support agencies, particularly CRS. These agencies must strive to be the most effective they can be to help Congress serve this nation. Without them we repeat errors, we miss nuances, and we would simply be too overwhelmed to function. We must evolve and improve together, leveraging technologies and refocusing resources to pack the most punch for this nation.

The CHAIRMAN. Thank you, Dr. Ginsberg.

And our final witness on this panel is Philip Joyce. Dr. Joyce is senior associate dean and professor of public policy at the University of Maryland School of Public Policy. He is the author of "The Congressional Budget Office: Honest Numbers, Power, and Policy-making."

You actually did write the book on CBO.

Dr. Joyce is a former editor of Public Budgeting and Finance, is a past president of the American Association of Budget and Program Analysis, and is past chair of the American Society for Public Administration's Center on Accountability and Performance.

Dr. Joyce has over a decade of public-sector work experience, including 5 years as a principal analyst with the Congressional Budget Office.

Dr. Joyce, thanks for being with us. You are now recognized for 5 minutes.

STATEMENT OF PHILIP G. JOYCE, PH.D.

Mr. JOYCE. Thank you very much.

Chair Kilmer, Vice Chair Timmons, members of the committee, thank you for inviting me to share my views on the role of the Congressional Budget Office in supporting the Congress.

I want to express at the outset my admiration for what this committee is trying to accomplish. There is no more important issue, in my view, facing our political system than ensuring that the Congress remains a strong body capable of serving as an independent voice in our political system. Weak, understaffed, or outdated support agencies invariably would contribute to a weaker Congress and, therefore, transfer power to the executive branch.

I am here to talk specifically about CBO, although I am an admirer of all the congressional support agencies. And I would note, regarding CBO, that the Congress has a lot to be proud of in having established and supported this agency.

There have, in fact, been many countries who have looked at CBO's successes—Australia, Canada, Italy, Korea, and Mexico I think are the best examples—and established similar independent fiscal agencies. In that sense, congressional organization has served as a model for the modernization of legislative institutions in other countries.

I have submitted my statement for the record, but I want to highlight three points, and then, if there are others, we can discuss them in Q&A.

And I make these points mainly because I think it is important that this committee focus on how we can educate Members of Congress on why CBO exists, on how to use CBO, and what the limitations are of CBO analyses.

First, it is important to note that history shows that CBO has done exactly what it was intended to do, which is to empower the Congress relative to the President and to serve as a check on the executive branch.

When I was researching my book on CBO—and I want to say, Mr. Chairman, that it is the best book ever written on CBO because it is the only book ever written on CBO. It is also the worst book ever written on CBO.

The CHAIRMAN. Oh, sorry.

Mr. JOYCE. There were multiple executive-branch officials who told me that they used the fact that there would be CBO analyses to prevent more dishonesty in Presidential proposals.

Second, the most influential effects of having CBO have come through its cost estimates of legislation, as Director Swagel pointed out. To that end, I think any evaluation of its success needs to look at how those estimates are prepared, their accuracy, their timeliness, their consistency, and their transparency.

I want to highlight a couple of these.

CBO has paid a lot of attention over its history to making sure that it is using a consistent set of assumptions in costing out proposals so that one proposal is not disadvantaged relative to another simply because different assumptions are used.

And while CBO, I think, has always tried to be relatively transparent in how it presents information to the Congress about its assumptions, it has responded, I think, to congressional interest in more transparency in a number of ways that Director Swagel pointed to in his testimony.

I have been particularly impressed with the attention to data visualization in recent years, which have made CBO products much more accessible and understandable. You see much less now of, you know, having to read the 40- or 50-page dense CBO report, and it gets summarized, I think, much better in a way that can be actually accessed by more Members of Congress.

I would point out one more thing on timeliness, which is, it is very important, I think, if the Congress is going to make effective use of CBO, for it to avoid considering legislation on the floor that does not have a CBO cost estimate. And I noticed in CBO's budget justification for last year that 25 percent of its estimates were—or 25 percent of the bills that were considered on the floor did not have a CBO cost estimate. And I think that should be avoided.

Third, there have been criticisms that CBO analyses take an overly narrow view by focusing largely on Federal budgetary costs and not on the benefits of legislation. This, of course, is what the Congressional Budget Act tells them to do, and I do think this criticism ignores much of the broader policy analysis work that CBO does.

But, to the extent that anybody thinks that CBO should systematically focus on cost and benefits in its estimates of legislation, I think that would be problematic, and I think that would compromise its nonpartisan reputation, because you don't have to move very far from that in order to suggest that CBO is essentially saying the Congress "should do this" and the Congress "should not do that."

In conclusion, far from the Congress needing to reform CBO in any kind of major way in pursuit of modernization, CBO—and I think the same could be said for GAO and CRS as well—is instead one of the most important factors that contributes to the modernization of Congress.

In short, other countries want what the U.S. has. And, frankly, they are often flabbergasted to discover that the Congress supports a large and influential nonpartisan agency in the midst of such a hyperpartisan political environment.

It is important for the Congress to recognize that a credible, non-partisan CBO is vital to the ability of the Congress to set its own fiscal policy and to challenge the President—and I mean any President—on policy. If CBO ever became viewed as one more source of partisan noise, it would be of limited use to the Congress or the Nation.

The capacity for nonpartisan analysis from all the support agencies, not just CBO, should be protected. Once lost, it would not easily be regained.

Thank you, and I look forward to the conversation.



UNIVERSITY OF
MARYLAND

SCHOOL OF PUBLIC POLICY

Testimony of Philip G. Joyce

Professor of Public Policy and Senior Associate Dean

University of Maryland, School of Public Policy

Before the Select Committee on Modernization

House of Representatives

On

“The Role of the Congressional Budget Office in a Modern Congress”

September 28, 2021

Chairman Kilmer, Vice Chairman Timmons, and members of the Committee, thank you for inviting me to share my views on the role of the Congressional Budget Office (CBO) in supporting the Congress.

I want to express at the outset my admiration for this committee and what you are trying to accomplish. There is no more important issue, in my view, facing our political system than ensuring that the Congress remains a strong body capable of serving as an independent voice in our political system. Indeed, this should be, and is, a bipartisan issue. I have testified twice at hearings held by the House Budget Committee (in 2016 when Republicans were in the majority and in 2020 when Democrats were the majority party) in the past five years that were focused explicitly on ensuring that the Congress could maintain its ability to exercise its constitutional power of the purse.¹

I mention this because the congressional support agencies play a crucial role in the ability of Congress to maintain that role. Weak, understaffed or outdated support agencies invariably contribute to a weaker Congress, and therefore transfer power to the executive branch. That is, in my view, an undesirable outcome, and I applaud you for reviewing the support agencies as part of your examination of Congressional modernization. I would also note that, internationally, the United States is considered a leader in the kind of support given to the Congress.

You have asked me explicitly to talk about the Congressional Budget Office. As background, I was an employee of CBO in the early 1990s, and wrote what is to date the only book written about the agency.² To my earlier point about the U.S. as a leader, there have been many countries that have looked at CBO's successes over the past almost half century and established similar independent fiscal agencies. In that sense, Congressional organization has served as a model for the modernization of legislative institutions in other countries.

In my testimony, I will make five points:

- CBO has, as intended, empowered the Congress relative to the President.
- CBO's budget forecasts have normally been influential mainly when the Congress is interested in reducing budget debt and deficits, while its cost estimates on individual legislation are consistently influential.
- It is important for CBO cost estimates and other products to be accurate and timely, to employ a consistent methodology, and to be transparent about assumptions used.
- While some have argued for CBO estimates to focus on broader issues than federal budgetary costs, it is important to understand that doing these broader analyses are not generally consistent with CBO's role and could require significant additional resources.
- CBO, the Congress, and the nation all benefit from CBO maintaining its reputation for objective, nonpartisan analysis.

¹ The 2016 hearing can be found at <https://budget.house.gov/legislation/hearings/reclaiming-congressional-authority-through-power-purse>; The 2020 hearing can be found at <https://budget.house.gov/legislation/hearings/protecting-congress-power-purse-and-rule-law-0>.

² Joyce, Phillip, *The Congressional Budget Office: Honest Numbers, Power, and Policymaking* (Washington, Georgetown University Press, 2011).

CBO Has Empowered the Congress Relative to the President

While I will spare you chapter and verse of occasions where CBO has empowered the Congress vis a vis the President, I will say that this capacity surfaced early on, through events such as the CBO challenge to the Carter energy policy and the Reagan fiscal projections, and extends to more recent examples such as the agency's key role in debates over the Affordable Care Act. I would note three key lessons concerning CBO's credibility and influence over its almost half century:

- CBO was created to give in large part to give Congress more leverage over the White House in key policy debates. Prior to the creation of CBO, the only numbers produced came from the executive branch, and these understandably assumed that the President's economic policies would be successful. The CBO baseline gives the Congress the capacity to develop its own path for fiscal policy. Time and again the Congress has made use of that capacity to place its own stamp on both overall fiscal policy and respond to particular Presidential policy proposals. This has occurred in part because of the capacity of CBO to develop alternate numbers to those coming out of the executive branch, which has tended to both empower the Congress and keep the executive branch more honest.
- The influence of CBO cannot be separated from the role of the Budget Committees, and having a strong CBO is essential not only to the Congress as a whole, but is particularly important to the ability of these committees to fulfill their statutory role. The leadership of those committees, both Republican and Democrats, have been quite responsible in their selection of CBO directors and in protecting CBO from attempts to politicize and weaken it.
- The story of CBO is as much a story about leadership as about budgeting or technical analytical capacity. Its first Director, Alice Rivlin, got CBO off to a strong start by establishing the initial culture and operating procedures designed to insulate CBO analyses from politics. Subsequent directors—whether nominal Democrat or nominal Republican—have continued the non-partisan tradition, and CBO staff have responded by consistently producing sound, technocratic analysis.

When Has CBO tended to be Most Influential?

As a budget office, CBO's role, in a macro sense, is to assist the Congress in making overall fiscal policy. It is not the role of CBO to tell the Congress what policy to pursue (indeed, it does not make recommendations), but rather to illuminate the choices that the Congress needs to make. One of those choices has to do with the level of deficits and debt, and the tradeoffs between (for example) responding to immediate crises by deficit-financed spending and tax policy versus taking action to reduce deficits and debt. CBO has historically been most influential when the Congress is interested in taking actions to fundamentally change the direction of fiscal policy, such as happened in the 1990s, when multiple reconciliation packages helped to move the budget from annual deficits to four consecutive years of budget surpluses.

It has been my observation, on the other hand, that CBO is somewhat less influential in terms of overall fiscal policy when the Congress is less interested in reducing deficits and debt. This probably describes the last two decades, when the combination of various economic crises (the

Great Recession and the COVID-19 pandemic) and Congressional hyper-partisanship has made it much more difficult to reach agreements that would result in reductions in deficits and debt.

What this means, in the end, is that CBO's influence is much more likely to be seen in its analyses of individual policies, especially its required cost estimates of legislation. There is no question that the structure of many policies are substantially affected by CBO's estimates of cost, either because they are changed in response to formal or informal cost estimates, or because they are drafted with an eye toward CBO "scoring" in the first instance. There is no better example of that than the Affordable Care Act (ACA). The final version of the ACA included many of the provisions that it did (at least in the form that they ended up) because of the knowledge of how CBO would score them. This was particularly true because President Obama had said that he would not sign any bill that added to the deficit. In such an instance, CBO scoring becomes very important. There are many other lower profile instances every year where CBO cost estimates have a similar effect on the ultimate structure of legislation.

What Factors are Most Important When Doing These Estimates?

If it is true that CBO cost estimates (there are about 600 of these in a typical year) represent the most consistent impact that CBO has on the congressional process, what are the most important factors for a modern CBO to focus on with respect to its cost estimates? To me, four would seem to stand out: accuracy, timeliness, consistency of assumptions, and transparency. I will discuss each briefly.

Accuracy. While some people attribute this sentiment to Yogi Berra, it is apparently Danish physicist Niels Bohr who first said that "(p)rediction is very difficult, especially if it's about the future". At the most basic level, everyone knows (or should know) that CBO estimates—like virtually all budget estimates—are wrong. More broadly, however, they are often criticized for communicating a false sense of precision. In point of fact, CBO cost estimates almost always represent the midpoint of a possible range of costs associated with a given change in policy. Given the many factors that go into calculating these costs, and the fact that the costs must be presented over ten years, there is almost no chance of the point estimate being correct.

Some have suggested that a solution—a modernization, if you will—to this process would be to have CBO explicitly present the estimates as ranges rather than point estimates. If everyone knows that the point estimates are wrong, the argument goes, why present point estimates? The first, and probably most important, reason is that budget enforcement (for example, of the budget resolution) relies on point estimates. It is difficult to imagine a workable substitute enforcement regime if an estimate was provided that said, in effect, "the cost is somewhere between X and Y". Presenting such ranges would also invariably further muddle the political process, as advocates of a given policy would choose to cite the lower end as THE cost, and opponents would tend to gravitate toward the higher end.

Beyond not being precise, some critics argue that CBO estimates are not just wrong, but systematically wrong; of particular concern is the possibility that there is a tendency to underestimate costs, resulting in later surprises. There is, in fact, little evidence of this. CBO itself

does not systematically study the accuracy of its cost estimates in general, for two very simple reasons. First, most legislation estimated by CBO is never enacted, so it is impossible to ascertain how good or bad the cost estimates were. Second, most of its estimates concern changes that are being made to ongoing programs, and it becomes almost impossible later on to separate spending that is associated with the change in the program from other pre-existing factors. The relatively rare exceptions are where legislation creates a new program, or new spending, such as occurred when Medicare Part D was created.

Timeliness. CBO cost estimates are ideally available in time for legislation to be considered on the floor of the House or Senate. At times this is not possible, such as when the Congress is moving a piece of legislation too quickly to permit the analysis to be done in that time frame. CBO, in its FY22 budget justification, indicates that it did 291 formal cost estimates of bills considered on the floor of the House or Senate, and that 75% of those were completed prior to floor consideration. This means, to state the obvious, that 25% were NOT. There may be room for a better record on timeliness, and it is worth asking to what extent this number can be affected by CBO practice, and to what extent this gap results from the House or Senate being unwilling to wait for the CBO estimate prior to taking floor action.

Consistency. Often the Congress is considering many different pieces of legislation in the same policy area in the same session of Congress. If CBO is to provide valuable information to the Congress, and to be fair to the proponents of various policies, the policy alternatives must be scored using a consistent set of assumptions. I do not think this need for consistency is well understood by many consumers of CBO products. For example, when comprehensive health reform was being debated in 2009, CBO needed to make sure not only that it got the costs at least approximately correct for each individual bill, but that each specific proposal's costs could be compared to other proposals. Anticipating the probability that health reform would be considered in 2009, CBO had been working in 2008 on a "road map" of sorts describing how it would evaluate various health reform elements, including issues such as the choice of plans, efforts to limit insurance premiums, changes in medical practices, and the budgetary treatment of mandated insurance payments.³ Separately, it presented a volume of health care reform options, including the costs of each.⁴ This took some the guesswork out of the process of developing proposals, since CBO had already provided guidance concerning how they would be scored.

Transparency. Since its creation, CBO has paid attention not just to what it says, but how it says it. In fact, in a seminal meeting that Alice Rivlin had with early CBO leaders to organize the agency, she concluded that the readability of CBO reports was perhaps as important as the analysis. CBO cost estimates have long included an explanation of how the estimate was derived. In recent years, however, there have been calls for greater transparency, and CBO has responded in several ways, all of which are outlined in a recent CBO report on transparency.⁵ In addition to traditional means of transparency such as testifying and responding to questions from Members and committees, that document points to the following aspects of its 2021 transparency efforts:

³ Congressional Budget Office, *Key Issues in Analyzing Major Health Insurance Proposals* (December 2008).

⁴ Congressional Budget Office, *Budget Options I: Health Care* (December 2008).

⁵ <https://www.cbo.gov/system/files/2021-03/57008-Transparency.pdf>.

- Making public reports and other products available that explain CBO's methodology in coming up with estimates, especially in complicated areas such as health policy, climate change, and economic forecasting;
- Publishing data sets underlying not only its overall baseline budget estimates, but also for many large programs, such as those related to Social Security, agriculture, transportation, veterans benefits, and unemployment insurance;
- Comparing CBO estimates to prior estimates (for example, for the baseline projections and economic forecasts) and also to estimates of other organizations, in order to gauge their accuracy; and
- Disseminating CBO products in more accessible ways, including data visualizations and through social media.

All of this points to substantial effort by CBO to address criticisms concerning transparency. The agency is likely never to satisfy all of its critics on this score; some of these critics are probably focused on transparency as a proxy for dissatisfaction with the result of the analysis. Still, it continues to be important for the Congress to be able to understand not just what the number is, but where it came from, and CBO should do all it can to illuminate its work.

Should CBO Estimate Focus on Broader Costs, and Also Benefits?

A criticism that has been levied at CBO cost estimates is that they place too much weight on costs to the federal government, and not enough on effects on other sectors of the economy, or on the benefits of legislation. There are two main specific manifestations of this argument:

1. CBO cost estimates pay little attention to the costs that legislation has on non-federal actors, such as state and local governments and the private sector, or on the overall economy.
2. CBO cost estimates do not appropriately account for the positive effects of legislation, such as the broader societal impacts of legislation.

Impact on Non-Federal Actors. CBO's federal cost estimates are just that. They represent CBO's estimate of the cost to the federal government of proposed legislation. They explicitly do not take into account the costs that might occur to other, non-federal actors, with two exceptions. The first is the requirements that exist for CBO to provide information under the Unfunded Mandates Reform Act (UMRA). The second is the broader work of CBO's program divisions who conduct broader policy analysis of legislation. In the former case, the law requires CBO to notify the Congress of any requirement in proposed legislation that would impose an intergovernmental mandate (an "enforceable duty" on state, local, or tribal governments) that exceeds a statutory threshold.⁶ It also requires CBO to identify mandates on the private sector that exceed an established threshold.⁶ The law creates a point of order against considering a bill if such a mandate statement is not included. Aside from the UMRA requirements, CBO's program divisions also may discuss the broader economic effects of legislation, and of federal policies in general. CBO

⁶ This threshold is adjusted annually for inflation. Upon enactment, the limits were \$50 million (intergovernmental) and \$100 million (private sector); in 2019, the limits were \$82 million and \$164 million, respectively (Congressional Budget Office, *CBO's Activities Under the Unfunded Mandates Reform Act*, December 2019).

work on health care, for example, has routinely analyzed the effect of federal policies (such as the Affordable Care Act) on national health care spending.

Failure to Account for the Benefits of Legislation. Even where the work of CBO may focus on cost beyond only federal costs, it is still true that the primary focus is on costs, not benefits. Again, there can be some exceptions to this (such as the analysis of the effect of particular policies on military readiness, or an estimate of the effect of the Affordable Care Act on the number of Americans who have health insurance) but by and large, CBO does not tend to focus on benefits, at least in its cost estimates.

The argument that the Congress should be focused on benefits is simple and practically unassailable. Focusing on federal budgetary costs may encourage downplaying other, arguably more important, considerations. The Congress, in an effort to reduce the federal budgetary cost, may then enact ill-advised or short-sighted policies, and encourage the redesign of policies in an effort to reduce their costs. Health estimates present a particularly fitting example of this dilemma. When people live longer they may spend more time receiving government-funded health care (Medicare, Medicaid, or veterans' health, for example), thus increasing the federal government's cost. This does not mean that we should not enact policies that save lives, but it does seem to mean that the cost estimate can present a radically incomplete picture of the effects of a given piece of legislation.

It is clear that the Congress should consider both costs and benefits when considering a given piece of legislation. That is different, however, than saying that it should be CBO's responsibility to provide these estimates. Beyond the fact that there would be substantial resource implications were CBO to provide cost-benefit analyses of legislation, two other factors argue against such an approach, in my view. First, as hard as it is to measure costs with any precision, that challenge pales in comparison to the difficulty of placing a dollar value on benefits. Second, doing such analyses would more CBO very close to what it has avoided through its history—making recommendations—which would threaten its ability to maintain its reputation for nonpartisanship.

How Can CBO Assist the Congress Going Forward?

What does all of this tell us about the future of CBO, and how to make sure that it is able to appropriately serve a modern Congress? Several questions are worth pursuing in closing:

- Is there any way that CBO could better assist the Congress in confronting the nation's fiscal policy challenges?
- What could be done to change the quality of CBO's analyses?
- How might the Congress use information coming out of CBO to make better policy?

Confronting the Nation's Budgetary Challenges

How might CBO better encourage the nation's leaders to confront the nation's future budgetary challenges? Given that debt has increased from 31 percent of GDP in 2001⁷ to 100 percent of

⁷Congressional Budget Office, *The Budget and Economic Outlook: Fiscal Years 2015-2024* (February 2014).

GDP in 2020⁸, and is projected to remain at roughly that higher level for the next decade, many people are alarmed at the continued failure of the Congress to come to grips with this imbalance.

While there is general agreement on these facts, there is much less consensus on what to do, and when. CBO has, over its history, been consistent in sounding the alarm about the effects of an increasing federal debt. It would be surprising, in fact, if a budget office did not raise these concerns. While CBO has provided information, it has not tended to tell (nor is it empowered to force) the Congress to act. In point of fact, CBO was set up as a provider of information, not a spur to particular action. If it is a spur to action, it is only as a result of the political impact of the data that are provided. There are similar budget offices in other countries which are given the authority to certify whether the government is engaging in fiscally responsible policies. The British Office for Budget Responsibility (OBR) both evaluates the government's progress toward meeting its stated fiscal objectives and assesses long-term fiscal responsibility.⁹ This sort of evaluation is not without its pitfalls. The real question is whether CBO should go further in exhorting the Congress and administration to take action. The benefits of doing so are uncertain, but it seems to me that such a stance could be potentially quite dangerous in terms of CBO's continued nonpartisan impact.

This is probably as good a place as any to raise the issue of CBO's public profile and role in educating both the Congress and the public. Since the beginning, CBO directors have had to walk a tightrope between being the public face of the agency's analyses and behaving as behind-the-scenes Congressional staff. Early on, the Congress took Director Rivlin to task because she was perceived as taking positions that were too public, and in forums that were too visible (she sometimes held press conferences, and appeared on national network news programs). Later in her tenure, she toned down her public profile, and subsequent directors have generally stayed out of the (non C-SPAN watching) public eye.

This does not mean, however, that the agency has not played a visible educational role. Numerous directors have cultivated (mostly off-the-record) relationships with journalists in an attempt to put an accurate face on CBO analyses and on general fiscal and economic challenges facing the country. Further, CBO products have always been available to anyone who requested them. Clearly materials have become much more accessible in the age of the internet. The efforts identified above that have enhanced the transparency of CBO should continue, in my view, and can have the effect of educating the public, through the media, and thus potentially spurring Congressional action. This seems a clearer, and safer, path to follow.

Improving the Breadth and Quality of CBO Analyses

As noted above, the need for the budget process to rely on point estimates communicates perhaps an unrealistic sense of precision to CBO estimates, when there is in fact a lot of uncertainty. It might, therefore be useful for CBO to be more systematically explicit about the ranges around its estimates, and the level of uncertainty involved. The down side of this is that it might, as suggested

⁸ Congressional Budget Office, *An Update to the Budget and Economic Outlook: 2021 to 2031* (July 2021).

⁹ See Chote, Robert, "Recognising Uncertainty," presentation at the Hutchins Center on Fiscal and Monetary Policy, Brookings Institution, December 15th, 2014.

above, encourage supporters to choose the low estimate of costs and opponents the high estimate. Some more explicit information on the level of uncertainty might be useful, however. Suggesting the level of uncertainty (in effect, the size of the confidence interval) surrounding a particular number would communicate useful information and might discourage the Congress from treating estimates with a false sense of precision.

It is also important that CBO continue to be granted access to the information that it needs to access and the people that it needs to talk to in doing its estimates. In the former case, it is my understanding that a positive effect of the need for remote work during the pandemic has been to provide CBO with temporary access to some data electronically that was normally not available in that format. It would be desirable for this to continue. And the Congressional Budget Act requires the executive branch to make its employees available to respond to CBO inquiries. What is most important here is that CBO have access to the RIGHT people; this often means the career staff with most detailed knowledge of programs.

Making Appropriate Use of Information from CBO

Perhaps the most important thing that the Congress could do to make sure that it makes better use of CBO products would be to more explicitly recognize both the limitations and the benefits of the analysis that CBO provides. On the former point, the Congress should be more explicit about considering the broader societal and economic implications of policy. In short, the Congress could step back from a main emphasis on the budgetary consequences of policy and understand that those consequences are one (but only one, and probably not the most important) thing to consider when decided whether to adopt legislation, and what form it should take. Clearly there are certain policies (climate change, health policy, and immigration reform, to name three) where there are many factors to consider, besides the federal budgetary cost. The more those factors can be considered when the policy is under development, the greater the chance of avoiding narrow, short-sighted policies. For all the positives that have come from having CBO, perhaps the main caveat is not to take its analyses TOO seriously. They are not the answer, they are an input—one that the Congress can make effective use of only if it recognizes the limitations.

Moreover, the Congress should avoid, unless absolutely necessary, considering bills on the floor of the House or Senate before it receives a CBO cost estimate. The fact that 25% of the bills voted on in 2020 did NOT include such an estimate is cause for concern. If CBO delays are contributing to this gap, they should be addressed. It seems more likely, however, that this is a reflection of a willingness of Congress to act before CBO provides an estimate. This is a situation that should avoided.

Conclusion

My main conclusion, having studied the history of CBO and with knowledge of its current practices, is that, far from the Congress needing to reform CBO in pursuit of modernization, CBO (and I think that same could be said for GAO and CRS as well) is instead one of the most important factors that contributes TO the modernization of Congress. The desire of other nations to create their “own CBO” is, in my view evidence of this. In short, other countries want what the U.S. has, and are flabbergasted to discover that the Congress supports a large and influential nonpartisan agency in the midst of such a highly partisan political environment.

The gap between objective analysis and “ammunition” to be used in political debates has perhaps never been greater. In such a partisan environment, policymakers will continue to be tempted both to attempt to move CBO in a more partisan direction, and to use CBO analyses (or portions of those analyses) to further their own political agendas. While substantial disagreements with CBO have come from both sides of the political spectrum, it is important for the Congress to recognize that a credible, nonpartisan CBO is vital to the ability of the Congress to both set its own fiscal policy and to challenge the President—any President—on policy. If CBO becomes viewed as one more source of noise in a cacophony of partisan voices, it will be of limited use to either the Congress or the nation. The capacity for nonpartisan analysis—from all support agencies, not just CBO—should be protected. Once lost, it would not easily be regained.

The CHAIRMAN. Thank you, Dr. Joyce. And congratulations for having the top-selling book on Amazon related to the CBO.

Mr. JOYCE. Thank you. Yeah.

The CHAIRMAN. I now recognize myself and Vice Chair Timmons to begin a period of extended questioning of the witnesses. Any member who wishes to speak should just signal their request to either me or to Vice Chair Timmons.

I have one broad question and one specific question.

My broad question is, you know, these support agencies were all founded in the early to mid- 20th century. They are largely all still operating under the same authorizations, even as they have had to adapt to changing circumstances.

Are there any authorities that they currently don't have that would help them better fulfill the mandate to support Congress? Anything we ought to be looking at in terms of additional authorities that ought to be granted to these agencies?

Mr. JOYCE. I am happy to start.

So I do think Director Swagel sort of talked about this a little bit in his testimony, but I think, you know, data are available in much different ways now than they were when this agency was created.

And I think, you know, in particular, you know, the ability to access data electronically—my understanding is that CBO, prior to the pandemic, actually periodically had to, sort of, drive out to Suitland in order to get its, you know, data from the Census, and it got temporary authority to actually access the data electronically.

I think it would be helpful to look into, you know, continuing that kind of thing. So I think it is very important for them to be able, you know, to access the data that they need and to do it in a timely fashion and to not have to go through a lot of red tape in order to do that.

Ms. GINSBERG. I would say, for CRS, I would agree with Dr. Mazanec that, at times, we kind of just used our charm and persuasion techniques to get information out of the agencies that we were hoping to get information from to help tell the story to Members of Congress and their staff.

So it could be a consideration to think about some language that would more clearly state that CRS should be considered Congress pursuant to FOIA when asking for information.

I don't know that you want to create something that is an adversarial relationship. There should be MOUs or particular ways to, again, use just charm and conversation to get things done, but it is something worth talking about.

Mr. GRAVES. Yeah. I mean, I think there are a couple different important points here, one just with respect to history. And I don't get into this in my testimony in detail.

The GAO's authorities have changed at several points over its history, sometimes growing, sometimes being more constrained. I think it would be worthwhile doing a deeper dive into some of that, which is part of why I recommended a series of, kind of, reauthorization hearings around the agency to really go deep on some of these issues, like their challenges getting data from executive agencies or the need to potentially put more teeth on recommendations that they make that are unimplemented.

I also note that there are authorities that exist that are just not being used. There was some discussion of using IPA authority to bring in outside science and technology experts for STAA at several different points. As far as I know, I don't believe they have started utilizing that yet. So part of that is just, sort of, their internal culture and its willingness to, sort of, use what tools it has.

The CHAIRMAN. The other thing I wanted to ask about, we had testimony earlier this year regarding how State legislatures do business and how committees and State legislatures do business.

I came out of a State legislature; I know Vice Chair Timmons did as well. We had some of these capabilities, sort of, tied to committees in a State legislature, where there was nonpartisan staff related to oversight, kind of like GAO does, and related to research and even bill-writing.

Do you see value in this committee looking at trying to cede some of these capabilities within congressional committees? Or is the current approach, where these are kind of independent agencies that kind of service those committees, is that—are we doing it right, or should we be thinking about a different model?

Mr. JOYCE. I think it is important for the support agencies to have some connection and for there to be an oversight responsibility that committees have for making sure that the information that is provided continues to be sort of useful and timely.

I think if that is done effectively, I don't think that it would be necessary to, sort of, you know, nest nonpartisan analysis specifically within the committees. I think, for CBO in particular, I think the Budget Committees have actually been quite active in making sure, you know, that CBO is responsive.

Now, CBO has maybe a benefit in the sense that the statute actually sort of lays out—you know, there is kind of a pecking order for committees that they work with. And those committees are, therefore, responsible for making sure that the information that is being provided is most useful.

You know, I think an example of what you are talking about actually would be the Joint Committee on Taxation. The Joint Committee on Taxation has actually what is, you know, by all accounts, a nonpartisan staff but works for the Finance and the Ways and Means Committees. And I think, based on everything I know, that that works pretty well. But I don't know that I would move a lot further with it.

Ms. GINSBERG. I would say that there have been nonpartisan staff who have worked with committees in the past that weren't necessarily affiliated with GAO or CRS or any of the service agencies.

But I think a more effective way to make this happen is to just really ramp up details and encourage detailees to go in and out. That way, you have the separate wall of nonpartisan research, but you have somebody with the knowledge and experience of what it is like to be on the inside so they know how to—they have been the customer; they know what they need to get served.

And CRS just doesn't do that. I know, when I was there, I fought to go on a detail, and it just couldn't happen. And it was——

The CHAIRMAN. Now you are a full-time detail.

Ms. GINSBERG. And I was like, “Yes, it will happen.” So, yeah. And now I am here. So that is my whole life story.

Mr. GRAVES. Yeah. I mean, I would agree that—I mean, I think the loss of institutional knowledge, you know, as the political winds change on committees, is a major challenge. Committees are broadly—you know, they have less absorptive capacity and, you know, less, sort of, staff capacity than they once did. And so, you know, increasing detailees, particularly from within the legislative branch, I think, is a really good way to do that.

I think GAO does a fantastic job at that. And particularly when it comes to science and technology issues, where Members of Congress and their staff typically don’t come from those technical backgrounds, you know, having that informal, trusted, consultative relationship is a tremendous value, at least as valuable as producing the, sort of, long reports themselves.

The CHAIRMAN. Thank you.

Go ahead, Vice Chair Timmons.

Mr. TIMMONS. Thank you.

Dr. Ginsberg, thank you for your testimony. It is very helpful to get another perspective. I have had a good experience, but I have only used them on a very limited basis, and this has been very helpful.

In addition to—I mean, I hear where you are coming from. Thirty, 40, 70 pages, that is long. Not a lot of people are going to read them. I mean, could we just—a lot of those have executive summaries, though.

I mean, could we—we still need the longer product to dive deep. But I do agree that maybe, if it is over a certain number of pages, there should be a 3-pager or a 2-pager, something like that. That seems like a reasonable request.

Ms. GINSBERG. I wholeheartedly agree with you. There are people who read the really long reports, but there are not a lot of them on the Hill, and they are going to be on the committees and the—yeah, they are usually going to be on the committees, with a deeper dive.

CRS is getting better at creating suites of products. And, frankly, the fact that there are, sort of—at the beginning of each report, there is, like, an overview of the report. That is pretty new. That actually happened when I was at CRS. So probably sometime around 2013, 2014 was when they started doing the executive summaries. Before that, they just didn’t do it.

I think a lot of what we see at CRS, frankly, is because you get promoted based on the length and depth of your work. So there is an internal incentive to create longer products so that you go through the promotion process, where, I think, for the benefit of most staffers on the Hill, the shorter products would be a more effective way to feed us the information.

And that is not to say—I don’t want to equate shorter with not as knowledgeable. I think, in fact, shorter can be more knowledgeable and harder to write. I don’t think it is any simpler. I think it is much more difficult to write in a pithy way.

Mr. TIMMONS. And I have actually never used their search engine. I always use Google and just type “CRS” at the beginning of

whatever I want. But I do agree that we could modernize it a little bit and maybe update it.

Ms. GINSBERG. We do that inside of CRS too, but don't tell anyone.

Mr. TIMMONS. Mr. Graves, two of your recommendations: Fully fund GAO—do you know the difference between their current funding and what fully funded would be?

Mr. GRAVES. Well, there are a couple of versions of that. One would be just meeting their current budget request, which I think we are pretty close to it in both the House and—I think the Senate bill that just came out is slightly lower.

But I would say, you know, we should think of this in terms of its ability to match the growth of Federal bureaucracy. So, if we think about, like, how big of a share of discretionary spending were they in the 1990s versus how big the administrative bureaucracy is now, it is, you know, dramatically weaker than it was, relatively.

So I would consider a much more significant increase in GAO resourcing. And I think we would see increased taxpayer benefits that match that in a very significant way.

Mr. TIMMONS. I have always been a huge proponent of fully funding Congress and all of its support agencies, because we spend trillions and trillions of dollars, and we need to figure out a better way of doing our job. Obviously, we are talking about budget appropriations, and—yeah, we can't underfund the most important part of the Federal Government, in my opinion.

Last thing. Dr. Joyce, I just bought your book, so you sold one.

The CHAIRMAN. I am going to take that as a question not in need of an answer. I think that is—you know, just say "thank you," I guess. But we are really killing it on him.

Mr. JOYCE. When I get my royalty report, I will know that you were the one.

The CHAIRMAN. You were the one. We are killing it on Amazon sales in this committee.

Mr. Joyce.

Mr. JOYCE of Ohio. Thank you, Chairman Kilmer.

Thank you all for being here today.

In sort of an abbreviated form, if you wouldn't mind, what would be your top two recommendations that you would think that would help to—we could push forward to strengthen or modernize these support agencies?

Whoever wants to take it first.

Mr. GRAVES. Yeah, I think, you know, my first one is probably a little bit of a difficult one, which would be taking GAO resourcing outside of the Legislative Branch Appropriations Subcommittee funding, which has a peculiar set of internal political incentives that constrain its ability to grow at the rate of the Federal Government, which means our oversight capacity is constrained in its ability to grow to match the rest of the Federal Government.

We have worked together to develop a bipartisan proposal on this that I mentioned in my testimony that would, you know, make it as a, sort of, share of other discretionary spending overall.

And I think this, plus giving an initial bump to their resourcing, would be my top issue, particularly considering that they return over \$100 in value for each dollar of their budget for taxpayers,

and I think there are a lot of savings that are still on the table that they could help deliver.

Mr. JOYCE of Ohio. Great.

Ms. GINSBERG. I think my number one is really easy. Like, a complete revamping of the CRS website where you can see and understand the products more effectively and know what they have and can get it very quickly. I think that the content that they do make is incredible content. I just wish we could find it.

And then the second thing I would say is really reinforcing a customer-service focus from everyone at that agency so that they are getting our feedback regularly, there is a place for us to give that feedback.

But a component of that customer-service focus is really hiring a staff that is diverse and to have a component of inclusion in that so that they can reflect the people that they are serving more effectively and be more customer-centric.

Mr. JOYCE of Ohio. Do you think that the——

Ms. GINSBERG. Yeah.

Mr. JOYCE. If I can?

Ms. GINSBERG. There is a followup.

Mr. JOYCE of Ohio [continuing]. That, you know, perhaps they should be advising Congress on what reports should be mandated?

Ms. GINSBERG. They should be advising Congress, or Congress should be advising them? Wait——

Mr. JOYCE of Ohio. They advise us. Like, you know, they say they only have so much bandwidth. So, if there are agencies that need a report, which reports are truly necessary?

Ms. GINSBERG. I think that if there is a resource issue, they should be making that clear to the appropriators that there is a resourcing issue there.

But in terms of what Congress's needs are, it should be definitely Congress telling CRS what to prioritize. We should be telling them what to prioritize, and they should be anticipating the needs of Congress.

They have a much longer history of what has happened in Congress. They should be able to see the cycles as they are coming their way. That is part of the glory of what it means to be from CRS, is to have this long-term view to be able to anticipate and remember that these things have happened and what they have looked like and how the context is different now.

So the argument that they don't have the bandwidth there, I understand a lot of it, but a lot of it is just failing to appropriately prioritize and think through the needs of Congress.

Mr. JOYCE of Ohio. Got it. Thank you.

Ms. GINSBERG. Yeah.

Mr. JOYCE of Ohio. The fine Dr. Joyce.

Mr. JOYCE. Yes, thank you, Mr. Joyce.

So the first is just expanding on something I mentioned earlier, which was access to data and access to information.

The thing that I did not mention earlier is, you know, the CBO statute basically says that the executive branch needs to respond if somebody from CBO calls and is looking for information from the executive branch, but it doesn't say who in the executive branch needs to respond.

And I think there are a number of occasions where a CBO analyst will try to call an agency and they will get the, sort of, congressional affairs office. And they don't want to talk to the congressional affairs office; they want to talk to the people who actually understand the programs.

And so getting down to that level—and whether that requires some kind of a statutory change or something else, but, you know, I think—and it is uneven. You know, some agencies are very happy to have the CBO analyst, you know, talk to somebody at the level of the program, but others, it is more difficult.

I think the second is, you know, continued attention to how information is accessed. You know, I teach a bunch of 18- to 23-year-olds, and they access the entire world through their phones. So, you know, if you can't access the products of these agencies on your phone in a way, you know, where it is easily accessible and you are able to find the information you need, you know, very quickly, then we are losing a large percentage of the population.

Mr. JOYCE of Ohio. As someone who went to law school back in the days when you actually had to Shepardize cases by yourself in the law library, I appreciate that.

Mr. JOYCE. Right.

Mr. JOYCE of Ohio. Thank you.

The CHAIRMAN. Mr. Davis.

Mr. DAVIS. Dr. Joyce, are you related to Mr. Joyce?

Mr. JOYCE. Not that I know of.

Mr. DAVIS. Interesting. Interesting.

Mr. JOYCE. But he is from Ohio and I am from northwestern Pennsylvania, so we are not that far away from each other.

Mr. DAVIS. Oh. Are you related to our other colleague Dr. Joyce?

Mr. JOYCE. Not that I know.

Mr. DAVIS. Dr. Joyce, Dr. Joyce.

Mr. JOYCE. Maybe back in Ireland at some point, you know, in the distant past.

Mr. DAVIS. You know, this has been very interesting. I missed the last panel, but to hear the comments from each of you after, you know, hearing from those who run these departments, it is interesting. Because I think you all bring up very valid points. And we all have the same goal, which is to make the House work better.

I was very interested in a comment you made, Dr. Ginsberg. You mentioned—and let me make sure I heard it correctly. You mentioned that people at CRS get promoted for the length of what they write?

Ms. GINSBERG. I would say that, when I worked there, there was a definite incentive to write the piece de resistance of your subject matter and that the depth and length were a part of that calculus.

There is a whole package that you put together for a promotion, but showing that you have a deep knowledge is a component of that. And one way to demonstrate you have a deep knowledge is to write a really long report.

Mr. DAVIS. Really.

Ms. GINSBERG. Uh-huh.

Mr. DAVIS. Which is actually the antithesis of what we probably want in a congressional office, to want to get to the point.

Look, I was a 16-year staffer. I looked at CRS reports as gospel. You know, they put it out, and this is exactly what—we thought it was one of the most well-researched pieces, articles, that we could get to be able to respond to our constituents.

As you can tell from my brief question that I am going to follow up with Dr. Mazanec about, I don't sense that is the case as much anymore from my staff on House Administration and my team, and that is frustrating.

What can we do to change the culture? If promotions depend upon longer reports, which is not conducive in today's day and age with social media and what have you, they are not putting out as many reports and fulfilling Congress's needs if they are worried about their own promotion and putting a booklet together that, I don't know about you, but, I mean, Joyce probably isn't going to read. I would read it, but, you know—

Ms. GINSBERG. I definitely think there can be a disconnect, in many cases, between what works within the agency and what serves the Congress.

I think there needs to be conversations with the union inside of CRS about what we can do to make sure that we are all sprinting toward a mission that is the service of Congress, which is the mission, and how do we get there, and how do we make sure you are getting measured on the right metrics, that your performance is achieving that particular mission.

And those are hard conversations. I just think we should be having them and not ignoring them.

Mr. DAVIS. So I really enjoyed your testimony, but give me the biggest surprise you have had, moving from CRS. And were you customer-facing there at CRS?

Ms. GINSBERG. Yeah, I was one of the analysts who answered a lot of questions, particularly on Freedom of Information Act, Federal advisory committees. All the stuff nobody knows anything about, that was my portfolio.

Mr. DAVIS. Oh.

Ms. GINSBERG. Yeah.

Mr. DAVIS. Very appropriate nowadays. Very much so.

What was your biggest surprise, coming over here? I mean, you are a staff director. So what was your surprise of how you then viewed CRS once you left?

Ms. GINSBERG. I would say my biggest surprise was that—in CRS, a lot of what you do is very insular work. You are almost like an academic, right? You are adjacent to an academic, and it is very solo. Whereas, on the Hill, everything is collaborative. Every email I send has, I think, maybe too many people on it, but a lot of people on it, so that we can all sort of be moving in the same direction together. And that is just not the culture at CRS. It is much more of a, you do it solo and prove who you are, more academic-facing.

And I don't expect CRS to become E&Y. I don't think that is right either. But there has to be a balance that is struck where you are somewhere in between an academic institution and an institution that has this amazing pedestal helping Congress gets its work done. And I don't think it is hitting there yet. I think it is leaning toward academia, and it needs to be a bit more of a forward-facing, customer-service-focused entity.

Mr. DAVIS. Do you think that is the personnel they have there that is the problem? Do you think we need more people with experience like yours to be over there to try and relay and be that bridge between Congress and the congressional staffs and the insular CRS staff you just mentioned?

Ms. GINSBERG. I think everyone should be a waitress at some point in their life. That is just me, personally, but——

Mr. DAVIS. I asked, “Do you want fries with that?” at my first job, and it was the best job that prepared me for this place.

Ms. GINSBERG. Agree.

I think that CRS could—again, it is an academic arena, and a lot of people come out of academia from there. And academia is not known for its customer service. So, if you are in a leadership position, you might want to help get some training for people on what it means to be customer-focused and customer-centric. And I never got that once when I was at CRS.

Mr. DAVIS. Wow.

Last question/comment. My questions I had for Dr. Mazanec actually centered around the lack of cooperation between CRS and the Library of Congress’s inspector general. I had a quick conversation with her out in the hall. She said that that may not be the case, in her opinion.

But you are on the Oversight Committee. We on House Administration are not exercising our proper oversight responsibility over CRS and over the Library of Congress in this case. I would love to work with your committee, your teams, to be able to get some of these questions answered.

So take that back to my colleagues on Oversight. Because I think it would be very beneficial for us to maybe utilize some of our oversight responsibilities to get some of these suggestions directly to CRS.

So, with that, I yield back, Mr. Chair.

The CHAIRMAN. Thank you.

And I know you are here only in your capacity as having worked at CRS, so——

Ms. GINSBERG. Thank you, Chairman.

The CHAIRMAN. You got it.

With that, let me—anybody else have any questions that we didn’t get to?

I want to thank Mr. Perlmutter. I know that both he and Ms. Williams had three hearings at the same time. But the ability to join us virtually, I am very grateful for that.

I want to thank our witnesses for their testimony today and thank our committee members for their participation.

Thank you to our staff for pulling together another terrific hearing with some very informative witnesses.

So, without objection, all members will have 5 legislative days within which to submit additional written questions for the witnesses to the chair, which will be forwarded to the witnesses for their response.

I ask our witnesses to please respond as promptly as they are able.

The CHAIRMAN. Without objection, all members will have 5 legislative days within which to submit extraneous materials to the chair for inclusion in the record.

While I'm giving thanks I should also give thanks to the Ed & Labor Committee for hosting us, so thank you to them as well and with that this hearing is adjourned.

Adjourned at 10:51 a.m.

APPENDIX I



November 22, 2021

The Honorable Derek Kilmer
Chair
The Honorable William Timmons
Vice Chair
Select Committee on the Modernization of Congress
House of Representatives

On October 21, the Select Committee on the Modernization of Congress held a hearing entitled, "Modernizing the Congressional Support Agencies to Meet the Needs of an Evolving Congress." Enclosed is GAO's response to the question for the record submitted by the Chairman and Vice Chairman.

Sincerely yours,

A handwritten signature in black ink, reading "Gene L. Dodaro".

Gene L. Dodaro
Comptroller General
of the United States

Enclosure

cc: Orice Williams Brown, Chief Operating Officer
Nikki Clowers, Office of Congressional Relations Managing Director

Questions for the Record for Select Committee on Modernization Hearing from October 21, 2021

1. What additional authorities would help GAO improve its timely access to executive branch information?

A single set of statutory access provisions applicable to federal agencies, contractors, grantees, and other recipients of federal funds, that explicitly addresses GAO's right to make and retain copies of records, including those in digital form, and GAO's right to interview officers and employees would streamline negotiations with agencies and others and help to avoid protracted debates over the availability of information.

While GAO has longstanding rights of access, most notably to federal agency information, additional legislation would help GAO serve Congress more effectively. As you know, the increasingly digital world of the 21st Century is driving Congress's need for GAO to quickly and efficiently obtain information from public and private entities and employ sophisticated analytic techniques to support congressional oversight.

My staff would be happy to provide with you with suggested language to accomplish these goals.

Questions for the Record for Select Committee on Modernization Hearing from October 21, 2021

Submitted by Rep. Rodney
Davis

1. When is the last time CRS conducted an audit of its internal procedures? Did this audit uncover any issues concerning accuracy or timeliness?

CRS engages in regular evaluation of its internal operations to identify issues and assess opportunities to maximize efficiency and mission effectiveness. This includes a robust strategic planning process under the Library of Congress's strategic planning framework, under which CRS developed the CRS Directional Plan. The Directional Plan identifies CRS's approach to fulfilling its mission to serve Congress and supports optimizing CRS resources over the next five years. The CRS Operations Plan provides a detailed roadmap of steps CRS will take to meet the two strategic goals identified in the Directional Plan. CRS tracks the initiatives and actions under each goal on a quarterly basis. CRS will develop the next iteration of the Directional Plan this fiscal year.

The Service develops and executes a comprehensive research planning process so that the Service's research products align with congressional interest and activity. With respect to the evaluation of individual work products, CRS utilizes a multilayered product review and research management process to ensure the authoritativeness and objectivity of its products and the timeliness of responses to congressional inquiries. Most CRS reports undergo a pre-production design review, involving division management and experts throughout the Service to ensure that all relevant issues are accurately and thoroughly presented. Upon completion, section research managers, division reviewers, and senior analyst-peer reviewers closely examine each written product to ensure accuracy and analytical rigor. In addition, the CRS Review Office conducts a final review to verify the product's consistency with CRS standards governing objectivity, nonpartisanship, confidentiality, authoritativeness, and timeliness.

CRS's research and performance management processes reinforce the Service's core commitment to providing timely research and analysis to congressional users. Section research managers closely monitor requests assigned to analysts, attorneys, and information professionals to ensure that congressional inquiries are responded to expeditiously and the managers evaluate responsiveness as part of the employee's annual performance review. Mercury, the Service's request management system, identifies requests with deadlines and a color-coded tracking queue enables CRS supervisors, as well as analysts, attorneys, and information professionals, to see pending requests with deadlines. This customized view of pending requests can be viewed for an individual, a section, or a division. It displays deadline requests by color priority—red for 2 hours or less, gold for same-day deadlines, and green for other deadlines. Information in the Color Queue automatically refreshes. Supervisors use this information to provide appropriate tracking and oversight of the timeliness of responses to congressional requests.

CRS prides itself on providing timely analysis and information for congressional users in order to assist Members and staff with legislative, representational, and oversight duties. The most recent Gallup survey of over 1,300 congressional staff in the 116th Congress found that 90% "agreed or strongly agreed" that CRS "always responds to their requests in a timely manner" and 87% "agreed or strongly agreed" that CRS "clearly understands their research needs." No studies or audits have "uncovered any issues concerning accuracy or timeliness."

2. How does CRS evaluate the organization's performance on an institutional level? Please provide to the Select Committee on the Modernization of Congress and the Committee on House Administration copies of your most recent evaluations.

CRS considers a number of factors to evaluate its performance in carrying out the Service's mission. The Service relies upon input it receives from its oversight committees, as well as feedback from congressional users provided by way of their day-to-day interactions with CRS staff, surveys, and other feedback methods. In addition, as part of the Library's strategic planning for fiscal years 2019-2023, CRS developed a Directional Plan, which identified two strategic goals: (a) enhancing service and access for all of its congressional users and (b) optimizing the agency's utilization of its resources. The CRS Operations Plan identifies the steps CRS will take to continue to achieve those goals. Progress toward achievement is assessed and reported on a quarterly basis. Additionally, the Service's annual report reflects organizational performance data.

CRS also participates in the annual Library-wide operational risk assessment and financial auditing exercises. CRS reports organizational performance data in the Library's program planning and performance system and participates in the Library's Integrated Risk Management and Control process under Library regulations and directives.

Finally, CRS is in the process of implementing a balanced scorecard initiative. This initiative identifies business objectives mapped back to the balanced scorecard perspectives, highlights the business processes involved, and defines indicators and target levels for those indicators. CRS is available to brief the Committee on this initiative.

3. Apart from past Gallup polls, have the products and processes for CRS ever been reviewed for efficiency, accuracy, accountability, impact, and customer satisfaction by an outside, independent source? If so, how was the review undertaken, what was the scope, and what were the outcomes? Are there any plans to conduct regularly such reviews in the future?

CRS, along with the other Legislative Branch support agencies, was the subject of a study conducted by the National Academy of Public Administration (NAPA) in 2019 to assess the science and technology policy-related resources currently available to Congress in the Legislative Branch and to make recommendations on how to best enhance such support. Authorized by the conference report accompanying the Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs Appropriations Act, 2019 (P.L. 115-244), the NAPA study found gaps in the provision of needed resources for Congress in the agencies including: networking, consultative support, short and medium term reports, and so called "horizon scanning" reports that identify emerging trends and issues. The report provided Congress with a number of recommendations including: enhancing the science and technology capabilities of existing Legislative Branch support agencies; creating a separate agency to fill existing gaps in available resources; and creating a science and technology advisory office. CRS expanded its capacity to address science and technology issues as part of its holistic approach to policy analysis. CRS also created 12 additional positions in multiple divisions to strengthen and deepen analysis of multidisciplinary policy topics where science and technology issues have a substantive component. This has included energy, environment, and natural resources positions, as well as positions focusing expressly on innovation, technology, and the role of science and technology in society. CRS is grateful for the support in the 2021 appropriation for 12 FTE to increase the scope and depth of CRS science and technology expertise.

With respect to plans for ongoing reviews, CRS engages in rigorous, ongoing internal assessment of its operations and work products. This is accomplished through Library processes such as organizational performance management and risk management and control, as well as internal processes such as the balanced scorecard initiative.

4. What is CRS' position concerning the oversight jurisdiction of the Library of Congress Inspector General (LOC IG)?

The authority of the Library of Congress Inspector General is established in 2 U.S.C 185 and reflected in Library of Congress Regulations 1-140, *Inspector General*, and 9-160, *Rights and Responsibilities of Employees to the Inspector General*. CRS's research independence is established in 2 U.S.C. 166(b)(2). Documents CRS receives and creates in response to requests from Members of Congress or congressional committees in carrying out their legislative responsibilities are presumptively privileged by the Speech or Debate Clause of the United States Constitution and protected from disclosure absent the Member's or committee's waiver of the privilege. CRS is subject to the oversight of the Library's Inspector General subject to these authorities.

a. Does CRS accept that it is subject to oversight by the LOC IG? If no, which inspector general does CRS believe has oversight jurisdiction over CRS?

CRS is subject to oversight by the Library of Congress Inspector General, subject to the relevant statutory, regulatory, and constitutional authorities described above. Library of Congress Regulations 1-140 and 9-160 both note the Inspector General "will work cooperatively on a case-by-case basis with Congressional Research Service management on issues regarding materials which the Congressional Research Service considers to be protected by the speech or debate clause of the U.S. Constitution." CRS has been subject to Library Inspector General oversight and has responded to the Inspector General's staff on a variety of matters upon request.

b. Does CRS recognize any limitations to the LOC IG's oversight jurisdiction?

With regard to the Library's Inspector General's oversight jurisdiction over CRS, the Inspector General's exercise of authority should comply with all applicable constitutional, statutory, and regulatory authorities and limitations.

5. In a 2006 letter, the U.S. House of Representatives General Counsel advised CRS that, with respect to House Members, "whenever [the] LOC IG seeks access to legislative records, CRS must request permission from the pertinent Member or committee to release the records." Is this CRS' current policy?

Yes. CRS has cooperated with the Inspector General on all applicable requests and if CRS receives requests for materials that are privileged it will respond consistent with the 2006 letter from the U.S. House of Representatives General Counsel.

a. Has CRS ever requested permission from a pertinent Member or committee in the context of the above opinion in order to gauge full customer satisfaction and insight for continuous improvement?

CRS and the Inspector General have cooperatively identified alternative data or information responsive to Inspector General requests that would not implicate the privilege.

b. Has CRS ever declined to inform a Member or committee of such request despite this opinion?

There have been no specific requests that would give rise to a need to

inform a Member or committee of any such request. In instances where initial requests for information have implicated the privilege, CRS and the Inspector General have worked cooperatively to identify alternative data or information that is responsive to the inquiry.

6. CRS uses the program Mercury for its data tracking. What type of data is collected when a new request is submitted to CRS?

The primary purpose of Mercury is to track congressional requests from receipt through the response process to completion. The system incorporates CRS's internal request assignment and resolution workflow into its design. Mercury does not comprehensively capture how congressional offices use or interact with CRS, nor how CRS staff are engaged on behalf of congressional clients. It has been principally designed to capture work arising from congressional Members and staff and to document how that work is assigned and resolved. It also captures the seminars and events planned by the Service, as well as congressional registration and attendance records. In addition, the contact information for Members and staff and office records in Mercury serve as the authoritative source of this information for request response purposes as well as outreach for CRS products, services, and programs.

The following fields are or may be (if applicable) filled in when a request is entered:

Request Details:

- Deadline
- Request number (automatically generated)
- Office
- Requester
- Receipt mode
- Request information
- Received date
- Callbacks (if applicable)
- Request information
- Subject
- Created by

Requester Information:

- Email
- Contact number
- Office category
- Affiliation
- Mobile number (if available)
- Job title
- Role
- Intern [y/n]
- Constituent [y/n]
- Constituent name (if applicable)

Assignment:

- Accepted by
- Reviewed by
- Division

- Assigned to
- Accepted date
- Inquiry review date
- Section
- Original deadline
- Created on
- Copied from

Requester Address:

- Request address
- Address line 1
- Address line 2
- City
- State
- Zip
- Phone
- Fax
- Override address [y/n]

When a request is responded to, the analyst, attorney, or information professional enters information into the following fields:

- Response type 1
- Response type 2
- Response type 3
- Response information
- Resolved by
- Resolved date
- Closed date
- Response information
- Issue area 1
- Issue area 2
- Issue area 3
- Keywords
- Documents may be added to requests

a. In what ways is this data used for strategic planning of CRS' suite of services offered to Members and offices?

Data in the Mercury system, interpreted in context, can be used to examine how clients use CRS, provide context for subsequent requests, determine where additional resources are needed, support budget requests, and ensure that the data reported is as accurate as possible. Further, it can provide insight into trends with respect to volume of requests, requests with deadlines, and congressional interest in particular issue areas, which may inform product development, as well as effectiveness of outreach efforts. Mercury is one of several sources of data the Service regularly reviews to inform decisions about how to most effectively and efficiently meet CRS's mission.

b. How does CRS utilize Mercury with respect to employee performance analysis?

There are no specific expectations about the number of requests that employees need to enter into Mercury. Mercury entries do not generally incorporate

measures of complexity, quality, client satisfaction, or timeliness. Mercury entries are not a direct measure of broad congressional interest in the full range of a staff member's portfolio. However, Mercury records can provide insight into a staff member's workload if requests are regularly and properly entered.

i. Does CRS make the metrics used in employee performance analysis available to the LOC IG?

Mercury data for individual employees inform a supervisor's evaluation of an employee's performance, however, the data alone does not reflect the full scope of an employee's responsibilities, and would not reflect the complexity or quality, among other factors, of an employee's responses to congressional requests. The Inspector General has not requested individual employee Mercury data, nor employee performance plans.

c. Does CRS regularly transfer this data to the LOC IG? Are there any limitations to the data provided to the IG?

CRS does not generally share Mercury request information outside the Service and does not regularly transfer any data to the Library Inspector General. The Service's Mercury Confidentiality policy notes that records contained in Mercury may contain Speech or Debate privileged information and must be treated with the utmost confidentiality. It goes on to state that Mercury records cannot be removed from CRS, or shared with anyone outside of CRS, even in redacted form, without the explicit authorization of the CRS Director (or her designee). Additionally, staff are prohibited from disclosing the sources or content of congressional inquiries, or the responses thereto, to other congressional offices, family and friends, the public, the media, or another governmental entity or official, through written, oral, or electronic communications. The confidentiality obligation applies to staff while employed with CRS as well as after leaving CRS employment.

7. Given the significant and continual investment in its development and maintenance, how does CRS gauge the impact of the Mercury program on product modernization and customer service?

The last significant upgrade of Mercury occurred in 2016. CRS is collaborating with the Library's Office of the Chief Information Officer to modernize CRS IT systems, including Mercury. CRS anticipates that a proof of concept and minimum viable product for an updated request management system will be deployed into production in FY23. In the meantime, the system continues to provide valuable strategic information for CRS managers and is an everyday tool used by supervisors, attorneys, analysts, and information professionals, to track requests from receipt to response.

8. To what extent has Mercury achieved the expectations as outlined in appropriations requests?

CRS continues to work with the Library's Office of the Chief Information Officer (OCIO) to modernize its IT infrastructure with the deployment of new tools and software to enhance support of congressional stakeholders. The Integrated Research and Information System (IRIS) initiative is a multi-year effort to update the Service's mission-specific information technology in order to provide CRS staff with the best resources to create and deliver products and services to Congress. An updated customer relationship management system is one component of the IRIS initiative. CRS and OCIO are currently implementing several major work streams.

These efforts also include implementing a state-of-the-art taxonomy and search engine to enhance discovery of CRS products, and modernizing the text analysis program to provide greater ease of conducting legislative analysis to include bill similarities, bill comparisons and bill summaries. These improvements are in varying stages of development and implementation. CRS is available to brief the Committee on IRIS.

For questions or follow up, please contact Aubrey Wilson, Aubrey.Wilson@mail.house.gov , Director of Oversight for Rep. Rodney Davis.

**HEARING SELECT COMMITTEE ON THE MODERNIZATION OF CONGRESS
“MODERNIZING THE CONGRESSIONAL SUPPORT AGENCIES TO MEET THE NEEDS OF AN EVOLVING
CONGRESS”**

OCTOBER 21, 2021

**REPRESENTATIVE WILLIAMS (GA) QUESTIONS FOR THE RECORD FOR THE
CONGRESSIONAL RESEARCH SERVICE**

Dr. Mazanec, this Committee has previously recommended that CRS produce nonpartisan fact sheets for pertinent topics of the day that offices could distribute to constituents. I think this is a great way to ensure constituents understand the bills and topics that Congress is considering.

1. Where is CRS in terms of implementing this recommendation and what are you doing to make members and staff aware of this important product?

CRS Response: CRS prioritizes responsiveness as well as timeliness. Accordingly, CRS produces Fact Sheets, which are very short reports that include minimal narrative and provide data or other factual information, often including a visual format. Additionally, CRS has increased the production of short form products available on CRS.gov. These include Insights, which are short products intended to provide information and analysis on issues of congressional interest; Legal Sidebars, which are short products produced by the American Law Division that provide legal analysis and information on issues of congressional interest; and the In Focus product, which is an executive-level briefing product on issues of active and ongoing interest to Congress. The In Focus is limited to two pages in length, and is especially useful for Members as it summarizes the essential points of an issue during a briefing. It also reinforces CRS's policy expertise and client service. Additionally, we have added a new feature to our long form reports: an extractable one-page summary. This executive summary of the product contains the insights and contents of the report in a very abbreviated form, which conveys to the reader the main points of the product and assists in evaluating whether the longer product would be useful to read. All of these products are published contemporaneously on CRS.gov and on the public-facing crsreports.congress.gov.

CRS makes Members of Congress and staff aware of these and other products through routine and targeted outreach efforts, subject-matter focused newsletters, and client distribution email lists. CRS highlights products on the CRS.gov homepage on a rotating carousel (updated weekly) and in a hot topics section, and through programming on related topics. Members of Congress and staff may follow the CRS Twitter account (@CRS4Congress); subscribe to notifications of new products in particular issue areas using MyCRS on CRS.gov; and review new products by issue area on CRS.gov or chronologically under “Recent Products” on CRS.gov.

Congressional Budget Office
Nonpartisan Analysis for the U.S. Congress



**ANSWERS TO QUESTIONS
FOR THE RECORD**

Following a Hearing on

**CBO's Efforts to Enhance Its
Transparency, Effectiveness,
and Efficiency**

Conducted by the
Select Committee on the Modernization of Congress
U.S. House of Representatives

DECEMBER 7 | 2021

On October 21, 2021, the House Select Committee on the Modernization of Congress convened a hearing at which Phillip L. Swagel, the Congressional Budget Office's Director, testified about the agency's efforts to enhance its transparency, effectiveness, and efficiency.¹ After the hearing, Congresswoman Nikema Williams submitted a question for the record. This document provided CBO's answer and was published on October 28, 2021. Chair Kilmer and Vice Chair Timmons then submitted another question for the record, and the document was published again to answer it. It is available at www.cbo.gov/publication/57556.

Chair Kilmer and Vice Chair Timmons's Question About Ways to Improve the Timeliness and Accuracy of CBO's Work

Question. What additional authorities and resources would help CBO improve the timeliness and accuracy of its scores?

Answer. A modest increase in CBO's budget would enable the agency to be even more responsive to the Congress's needs. Beginning in fiscal year 2019, the Congress increased CBO's budget to bolster that effort, allowing the agency to expand staffing in high-demand areas; to organize staff to work on broader, shared portfolios; to publish more data and documentation; and to publish reports that evaluated previous forecasts and cost estimates. CBO's budget request for the current fiscal year would allow it to maintain its current staffing level and to hire four new staff members to provide more analysis of infrastructure, energy, and climate change issues—areas in which CBO expects heightened legislative activity.²

With an increase in the agency's expertise and modeling capability in those areas, analysts could more readily provide preliminary estimates as committees developed

legislative proposals, as well as detailed formal cost estimates ahead of floor consideration. With the larger staff, CBO would also have a number of people with overlapping skills to handle surges in demand for analysis of a particular topic or to lend additional assistance for a complicated estimate. In some cases, those skills would be technical, improving CBO's ability to design simulation models and thereby enhancing the accuracy of its work. Moreover, as the agency's budget request describes, CBO would continue its series of publications evaluating the accuracy of its outlay and revenue projections for the previous year. The agency would also seek opportunities to review the precision of its previous forecasts and cost estimates.

Another way to enhance CBO's responsiveness and accuracy is increasing its access to data. The use of data is critical to CBO's work in producing baseline budget projections, economic projections, cost estimates, and reports. CBO pulls together information from many different federal agencies.³ The Congressional Budget Act of 1974 already provides CBO with the authority to obtain data generally from a variety of sources. CBO also has the authority to obtain certain specific data, and at times it collaborates with agencies that permit CBO to use their data under their authorities. CBO currently has in place more than three dozen data use agreements for protected information.

However, obtaining data from agencies can present challenges. One such challenge is that in some cases, the data remain in the possession of the other agency. Before the coronavirus pandemic began, CBO analysts usually traveled to that agency's offices to work with those data; more recently, CBO has obtained remote access on a temporary basis. Retaining that remote access would help improve CBO's speed and efficiency.

Also, to attract and retain a staff that can meet the demands of the Congress, CBO needs to provide salaries and benefits that are competitive with those in the executive branch and, to a lesser extent, the private sector. In particular, providing better access to affordable child care remains a challenge for CBO, and giving the agency the authority to offer subsidies for child care to its employees would help it compete better with other employers.

1. See testimony of Phillip L. Swagel, Director, Congressional Budget Office, before the House Select Committee on the Modernization of Congress, *CBO's Efforts to Enhance Its Transparency, Effectiveness, and Efficiency* (October 21, 2021), www.cbo.gov/publication/57329.

2. See Congressional Budget Office, *The Congressional Budget Office's Request for Appropriations for Fiscal Year 2022* (February 2021), www.cbo.gov/publication/57265.

3. See Congressional Budget Office, *The Congressional Budget Office's Access to Data From Federal Agencies* (June 2021), www.cbo.gov/publication/57150.

Congresswoman Williams's Question About How CBO Makes Its Work Accessible and Visible

Question. Dr. Swagel, I want constituents to be able to find and understand the information CBO releases so they have the tools to form their own opinions on a bill. Your testimony mentioned that CBO is making its work more accessible.

What steps could CBO take to not only make its analysis more digestible for our constituents, but also to make our constituents more aware that your work exists for their informative benefit?

Answer. Making its work accessible is a top priority for CBO. For example, the agency recently began publishing most of its reports in a mobile-friendly HTML format. CBO creates interactive tools to help readers better understand its analyses, as well as slide decks and visual summaries that present reports' main points briefly and clearly. Another recent development is a new format for reports that emphasizes data visualization.

CBO has also improved readers' access to cost estimates and will continue to do so. New, predictable URLs help readers locate the estimates more quickly on CBO's website; new filters allow readers to search for estimates by the 10-year total effects of legislation on direct spending, revenues, and deficits; each estimate's web page now includes a link to the associated bill's text and legislative information at [Congress.gov](https://www.congress.gov); and the estimates themselves are presented in a way that makes it easier to

find pertinent information. In the coming months, CBO plans to update the main web page for cost estimates, making them even easier to find and making related materials, such as frequently asked questions about cost estimates, more prominent. And CBO will provide additional information to help people understand its cost estimates—for example, characterizing the uncertainty that surrounds them.

CBO aims to build on its current efforts to increase the visibility of its work. The agency releases publicly all of its formal cost estimates and analytic reports. It delivers its work to interested Members of Congress and their staffs. Soon after delivery to those key parties, CBO posts the work on its website. In addition, an email service, Twitter announcements, and RSS feeds notify subscribers when the agency publishes work. Also, CBO has enhanced its profile on LinkedIn by regularly highlighting its recent work.

Further enhancing CBO's visibility, staff members will continue to communicate daily with people outside the agency to explain findings and methods, respond to questions, and obtain feedback. CBO's Director will meet regularly with Members of Congress to do the same. Staff members will continue to give presentations on Capitol Hill—some in collaboration with the Congressional Research Service—on the agency's budget and economic projections and on other topics. Those presentations allow CBO to explain its work and answer questions. Staff members will also give presentations about CBO's findings and about work in progress in other venues to offer explanations and gather feedback.

APPENDIX II

**Select Committee on the Modernization of Congress Committee Hearing:
Modernizing the Congressional Support Agencies to Meet the Needs of an Evolving
Congress**

Remarks for the Record for Chairperson Lofgren

October 21, 2021

I would like to begin by thanking the distinguished panels of witnesses for all their efforts in support of the Congress. I think I speak for all my colleagues when I say that it would be exceedingly difficult – if not impossible – for us to perform our duties without the support of the Congressional Research Service (CRS), Congressional Budget Office (CBO) and Government Accountability Office (GAO).

As Chairperson of the Committee on House Administration, I spend a lot of time focused on CRS. I'd like to commend the many CRS analysts, attorneys and other specialists who have continued to provide nonpartisan, comprehensive and authoritative research and analysis throughout the COVID-19 pandemic. Their work has been invaluable to Members and staff as we've worked to provide much needed assistance to the individuals, communities and businesses suffering from pandemic's public health and economic impacts.

CRS, however, is not without persistent challenges that we would like to see addressed. Some of these challenges include:

- Continued lack of diversity within the Service, particularly at senior levels;
- High attrition rates, particularly in the American Law Division;
- Low morale among employees – particularly employees of color; and
- A perception among rank-and-file employees of inflexibility on the part of management with respect to certain CRS policies, including those governing telework.

For these reasons and others, the Committee on House Administration – on a bipartisan basis – has spent a significant amount of time conducting oversight of CRS. For example, during the last Congress, the Committee on House Administration held what I am proud to say was the first hearing dedicated solely to CRS oversight since 1948.

The Committee followed up the hearing with bipartisan oversight meetings and bipartisan focus groups with congressional staff to gauge satisfaction with CRS services and performance. And during the entirety of the 117th Congress, the Committee on House Administration has held bipartisan monthly CRS oversight meetings to discuss these and other ongoing challenges.

As the Modernization Committee and CRS consider ways to modernize CRS, I'd like to emphasize two key points.

- First, there has not been nearly enough progress on increasing diversity within CRS, particularly at more senior levels. As we have discussed at length here at the Modernization Committee, increasing diversity and inclusion will improve the way Congress works on behalf of the American people.
- Second, CRS should consider ways to improve recruitment and retention of its experts. Increasing diversity within CRS will certainly aid in this effort, but I'd also encourage CRS to think about other ways to attract and retain talent.

For example, I know there is a strong desire among many CRS employees for a less stringent telework policy. Over the past year and a half, we've all learned how productive employees can be while working remotely. And while there are certainly occasions when CRS experts need to be physically here on Capitol Hill, I encourage the Service to consider whether providing some additional opportunities for telework would help improve morale and attract and retain talent.

Again, I'd like to thank each of you for your service to the American people, and the distinguished Chair and Vice Chair of this Committee for organizing this hearing.

